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# SOME SOURCES OF HUMAN HISTORY

M. FLINDERS PETRIE

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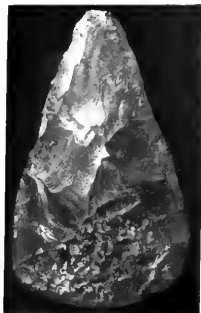


Figure 11



Figure 12



Figure 13



Figure 14 and 15

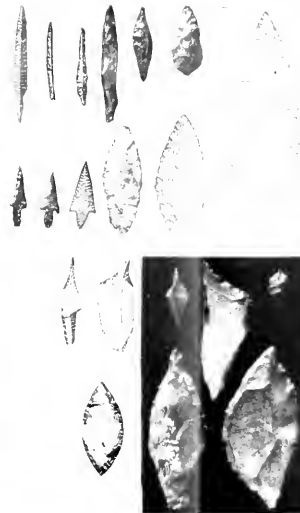


Figure 16



Figure 17 and 18

# SOME SOURCES OF HUMAN HISTORY

BY  
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## NOTE

THE purpose of these outlines is to show some of the interests of human history, to those who are neither specialists nor students, and therefore a very general view is all that is attempted. In the choice of material, that which is less familiar has been taken in preference to that which has been already often treated: and the books referred to are those which are easily accessible, in preference to monumental works.

The object has been to look over the country on each side of the beaten tracks of history teaching, and see some of the distant views and green fields. All that is said here no more represents the knowledge of the subject, than a glimpse of far-off hills teaches their geography. Yet even such a view may be relished by those who never expect to wander so far from the road.

The dating given by the Egyptians themselves has been followed here, in accordance with the usage of Champollion, Böckh, Unger, Mariette and Wiedemann, which there is no reason to abandon.

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# SOME SOURCES OF HUMAN HISTORY

## CHAPTER I

### UNWRITTEN HISTORY

#### *The Conditions for Man.*

TO trace the history of man through his various modifications of form and habit, we need to shape regular methods of enquiry and learn how to gather information, just as in the ages of written history we need to study languages and historical criticism. The principal lines of information all supplement and support each other, but depend on very different kinds of evidence which need separate study.

The main question about prehistoric man, which rules most of his conditions and yet is quite independent in its origin, is that of the levels of sea and land. We are so much accustomed to see the ocean level continue the same, that we do not readily credit how much levels have changed. Within the last half-per-cent. of geological ages there have been thousands of feet of rise and fall, the Alps have been under the sea, Africa and India have

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been united, and probably Africa and South America (G.W., map 14). Within the age of written history Britain and Denmark have been all one, by a change of a hundred feet of level, as we shall notice farther on. Between the scales of these movements are the rise and fall of several hundred feet within the human period; and though unfortunately geologists are not all in accord, yet the greater and lesser changes just named give good reason to believe in the likelihood of such a general scale of change.

The evidence of these movements is largely obtained from the climatic changes which resulted, as shown by the limits of the polar ice. When the sea was higher (or the land lower), beaches and terraces were formed which remain permanent, now high upon land: when the sea was lower, valleys were formed, which became flooded as estuaries when the sea rose, or are found by soundings some way out from the shore. When there was greater rainfall, the surface of the land was rapidly washed down and beds of deposit have been laid over the human remains; the valleys also have been deepened, and have thus left gravels of great age high above the present streams. All this is a part of the geography of human history.

Changes of climate—cold periods during submersion of the land, warm periods when the sea retired—greatly altered the range of animals and plants. A tiny plant seed, or a tooth of an animal,

is a self-registering thermometer ; its presence shows within what limits the temperature has been ; and where several different registers can be traced, the extreme temperatures which will just be tolerated by the growths of different species requiring a higher or lower warmth, will limit the possible climate very closely.

All of these changes, of sea level, climate, and food supply, greatly affect the opportunities for the physical and mental development of man.

The fullest study of this long history of conditions is that by Dr. James Geikie (*The Antiquity of Man in Europe*, 1914), which covers ninety-nine hundredths of all human history. From that work the general results may be tabulated as given over-leaf. The dates are indicated by the extent of the changes of denudation, and other alterations between the periods. They may easily have been longer, but are not likely to have been shorter. The periods are denoted as glacial and interglacial, because the ice movement is the most evident effect ; but there is no doubt that such changes have been incessant in the past, whether with or without ice. The changes of sea level are shown by the raised beaches and submerged valleys. The temperature noted is that suited to the animals and plants, or shown by the encroachment of the ice, stated in degrees more or less than the present temperature (A.E., 1915, p. 122).

At first sight there seems to be a confused variety of deposits over the earliest human works,

DATES.	PERIOD.	SEA LEVEL (FT.).	TEMPERATURE, FAHR.	CONDITIONS AND HUMAN WORK.	GEOLOGIC STAGES.
	6th Glacial	+ 30	—	Small Glaciers ..	Dan. Upper Turb.
	5th Inter G.	—	{ Forest 1500 ft. up }	+ 5° Wider coasts ..	Up. Forestian.
	5th Glacial	+ 50	—	Considerable Glaciers ..	Gschnitz. Low Turbarian.
	4th Inter G.	—		{ Britain Continental Great Baltic Lake Neolithic (with Azilian)	Low. Forestian.
-20,000 Max.	4th Glacial	+130	{ Arctic plants Thames }	-20° Great Baltic Glacier .. Magdalenian .. Inter-mediate { Solutrean Aurignacian	{ Buhl. Mecklenburgh. Würmian.
	3rd Inter G.	-200	{ Southern Mammals }	+15° Britain Continental Mousterian Land far in Atlantic	Dürntenian.
-80,000					
	3rd Glacial	+700	—	-30° { Gibraltar upper breccia .. Ice sheet in N.W. Europe .. N. and mid-Britain submerged Before coldest Mousterian Torrents cut Gib. breccias .. North Sea, dry Acheulian	{ Polonian. Rissian.
180,000					
	2nd Inter G.	-600	{ Southern Mammals }	+20° Britain Continental, cooler Chellean Spain wide in Mediterranean warmest	Tyrolean.
400,000					
	2nd Glacial	+900	—	-30° Gibraltar lower breccia .. Maximum glaciation Ice { 3500 ft., Scotland .. 2800 ft., S. Jutland ..	{ Saxonian. Mindelian.
600,000		— 50	—	-20° Arctic plants in Norfolk ..	
700,000	1st Inter G.	-200	{ Southern Mammals }	+10° Earliest man of Heidelberg ..	{ Forest Bed. Norfolkian.
	1st Glacial	+300	—	-13° Snow line 4000 ft. below now ..	{ Scanian. Günzian.
	Pleistocene				
	Pliocene ..			Wholly Arctic in N. Sea Gradually cooling South molluscs in N. Sea +20°	



those of the second interglacial age, but the careful study of these deposits shows that they are similar over a wide extent; and a dozen definite strata have been traced over Belgium and Northern France. During the high sea periods these are marine deposits; during the low sea periods they are wind deposits, like the immense plains of consolidated dust in Central Asia (D. 46, 69, 71).

Thus, both in the conditions and the results, there is not a mere varied confusion, but a well-defined series of great changes, which can each be traced by a permanent result. The need now is for a much more exact and more widespread study of all these changes, to link them up in different parts of the world, and to fit in the human remains to their historic position.

In Europe the various stages of culture have been labelled by the names of the places where they have been best observed. Thus the earliest well-fixed stage is the CHELLEAN, marked by flint-work of the greatest boldness and decision, unsurpassed in its large handling.\* The climate was warm, there was little sea to cut communication, and man made one of his greatest advances in this age. The ACHEULIAN following this was but a weakening of style in the work, with less command of the material; the favourable conditions were passing. Then cold set in, the icecap crept down

\* See folding sheet of flints printed as a frontispiece to this volume.

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southward, the land became submerged, communication was cut in all directions, food became much scarcer, man had to retreat to caves for shelter, and his hand work shows his difficulties in the irregular and rough work of the MOUSTERIAN age. So far there is no evidence of the modern type of man, but only of the brutal Neanderthal

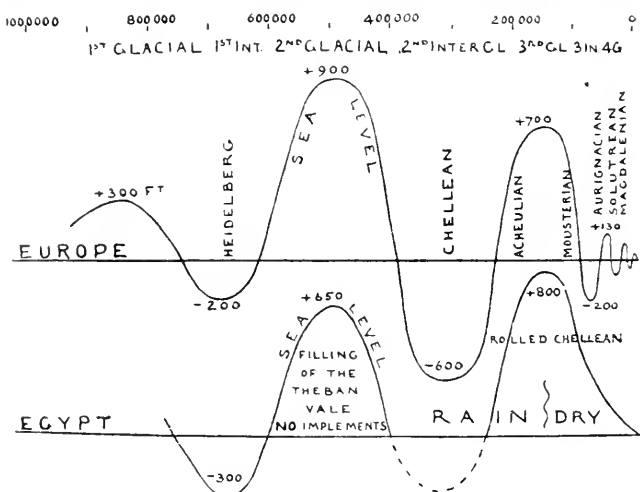


FIG. 1.

type. The climate again improved, a warm age returned, and the work of man shows his better conditions in the more regular and finished work of the AURIGNACIAN and SOLUTREAN styles by men of modern type. Yet again the cold somewhat advanced in the last glacial age, and man's work fell off into rough flaking of intractable flint in the

MAGDALENIAN age. These three recent stages, known as the Reindeer age, are however but slight variations of level compared with the earlier movements.

The relation of these human periods to the levels appears to be the same in Europe and in Egypt, as shown in the first diagram (Fig. 1). The rise and fall of sea level that has been observed is shown here by a curve above and below the horizontal line of the present sea level. The styles of flint-work, from Britain to Egypt, follow closely the same course, so that it would be difficult to say from which region a form of flint tool had come; and the relation of these flints to the sea levels suggests that the changes of level in Britain, France, Spain, Palestine and Egypt were all contemporary.

What such changes implied in the conditions of man may be imagined when we look at the maps of the two periods (Fig. 2), the cold age of submergence, with the sea at least 600 feet higher than now, and the warm age of elevation with sea 600 feet lower. These are not the extreme positions, but they must have lasted for a considerable time, and have been somewhat exceeded. In the cold ages man lived on narrow peninsulas and scattered islands, with hardly any continuous regions—an embarrassing position to a people who had probably not yet mastered sea trafficking. On the contrary in the warm periods there was a wide continent, with a chain of lakes running through it from the

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Black Sea to the Atlantic, and easy communication in every direction.

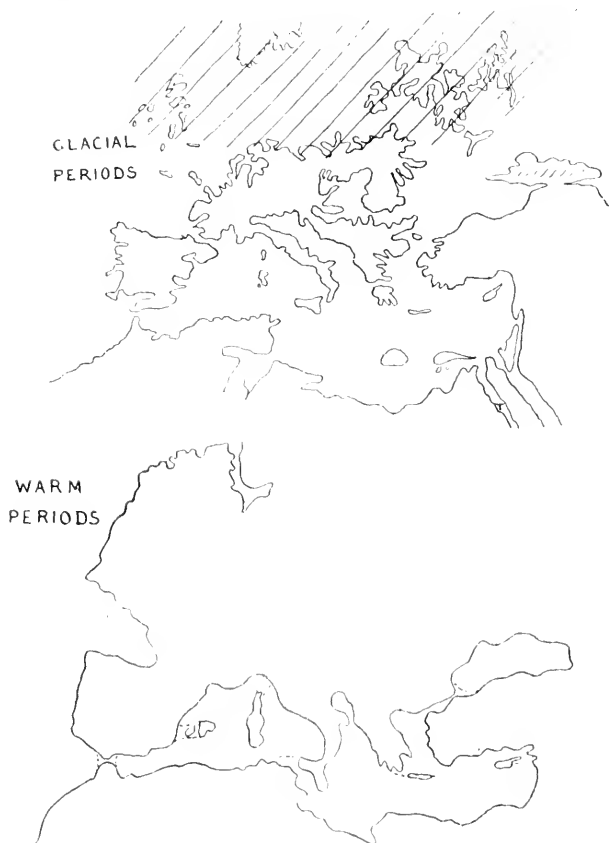


FIG. 2.

The last two stages that we have named—the Solutrean and Magdalenian—emerge from the dim

past, of which only flint working is known to us (see Parkyn, *Prehistoric Art*). The Solutrean age produced delicately-worked thin flints with fine surface-flaking, and the beginning of carvings and paintings; apparently this is the age of the lowest level of the great city mound of Susa, with painted pottery, as shown by the style of the flint working (Fig. 3). This would date the beginning

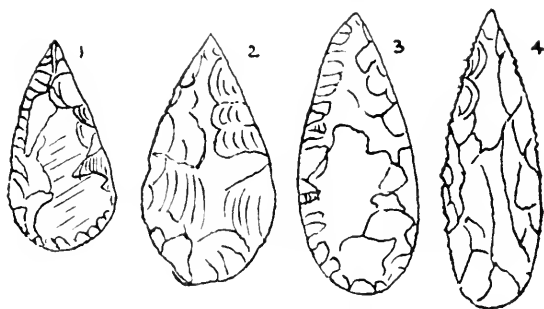


FIG. 3. France.

Susa.

Egypt.

Susa.

of continuous settlements of civilisation in Elam. Other sites of this age occur on the desert to the west of Egypt, by the Fayum. The Magdalenian age, though inferior in flint working, advanced greatly in carving and in painting, as seen in the ivories of the French caves, and the coloured figures of animals in the Spanish caves. These certainly go back to the age of the mammoth, bison and rhinoceros, which are represented. The flint work and the common use of bone harpoons link this with the first stage of continuous civilisation in

Egypt, the prehistoric graves. Thus the close of the Palæolithic age of Europe serves as the pedestal for the beginning of the history of the two oldest civilisations, in Elam first and then in Egypt (on this connection see *Ancient Egypt*, 1917, p. 32). Though there may not be an exact equivalence of date between the European and the Eastern stages, it is at least very unlikely that in the favourable climates of Elam and Egypt the styles of work should be much delayed beyond those current in Europe.

With the later Neolithic, or polished stone, age, and the use of metals, we enter on the historic times.

### *Changes in Historic Times.*

We now come to the much later stage, of the lesser changes within the period of written history. Because the last two thousand years have seen very little alteration of levels, it is too often thought that we do not need to take any changes into account within the time of the present types of man. This is far from the truth. In the delightful book on *Submerged Forests* by Clement Reid, the evidence of large changes in historic times is well set out. The conclusion seems inevitable that at 3000 B.C. —in the hey-day of Egyptian art—Britain was all in one with the Continent, and much of the North Sea was dry land; our present sea level and general coast-line was not reached till about 1600 B.C.

Let us see what this implies. Clement Reid gives a map (*S. F.* p. 40), showing how the old



FIG. 4.

coast-line before 3000 B.C. stretched from the north of Denmark across to Yorkshire (Fig. 4). The

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Thames, the Wash, and the Humber were the western affluents of the Rhine. Man would cross anywhere between Denmark and our east coast, as readily as across Holland at present. The Channel was broken through the chalk ridge in an earlier submergence, but it was at least the watershed of the eastern and western rivers, and therefore high and dry. Now the Bronze age people, with their fair hair, round heads and round barrows, are believed to have entered Britain from the Rhine valley about 2000 B.C. (see Abercromby's *Bronze Age Pottery*, ii. 109). Before they came in, the dark Pict must have occupied Britain as being merely the hilly end of the Continental plain, and have watched the gradual cutting of his eastern boundary as the sea turned the mouths of the Rhine and Elbe into deep estuaries, with the low tableland of the Dogger bank between them. When the Bronze age man came in, the submersion was not yet completed as now, but the Channel was flooded, for his remains are less in Kent than in many other districts, as the land bridge had been previously broken down. To the Neolithic man Britain was not an island, but a spur of the continent, as Brittany is now.

Such changes are not unknown even in historic times. In Ptolemy's geography two islands are placed north-east of Kent, about one day and two days' sail from the coast. This is exactly the region of the higher land between the Thames and the



Channel river, in Reid's map. These islands were probably the last remains of the North Sea plain, which have since been washed away, as Heligoland was being washed away down to modern times. The record of similar changes remains in British literature describing an important district, with 16 fortified towns and a great port, being drowned out by the sea in Cardigan Bay, sometime before 450 A.D. (W. Triads 37, 75); also the isolation and subdivision of various islands (Triad 67). Large changes have likewise occurred elsewhere, as in the sinking of the whole coast of Egypt some twenty feet or more in late Roman times, resulting in the breaking in of the sea, now forming the large coast lakes, with ruined towns dotted over them. This catastrophe took place in the time of Justinian (A.E., 1917, 45). A similar result of submersion is seen along the coast of Holland, and as far up as the Baltic. The long strip of islands off the coast are obviously the sand-dunes of a shore—as now in Lincolnshire—remaining above water after the plain behind them has been flooded. Holland would never have been reclaimed from beneath the sea level for cultivation; its occupation dates from before the submergence, and it has been defended as it gradually sank into peril from the sea. On our own coast the changes consequent on the Neolithic submergence have proceeded down to our own time. When the sea was far distant the Medway, the Stour, the

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Rother, the streams of Pevensey and of Lewes, and the Arun, were all upland rivers with wide beds. When the sea came up to them the estuaries thus formed, which were at first navigable creeks, began to be choked with silt held up by the high water level, and from Roman times onward this change has altered our south-east coast, until the creeks have been changed into cultivable flats; the old ports of Richborough, Sandwich, Rye, Winchelsea, and others, have all passed out of use, and the whole human conditions of the coast are changed (S.B.). Thus the effects of the sinking have occupied three thousand years, and may be by no means yet concluded.

### *Character of Early Civilisations.*

To realise the character of a civilisation is not easy, even when there is plenty of written record. If we could walk through a Roman city we should be continually surprised at contradictions, much of it more splendid than our usual ideas, and yet with the curse of most of the inhabitants being slaves, though many of them the mental superiors of their masters; in all directions slatternly manners and morals pervaded everything. To grasp the nature of a much more remote past is far more difficult, and yet it is necessary if we would understand history; perhaps the nearest way is to look for modern races which most nearly represent the same stage of civilisation.

The earliest stage of prehistoric culture in Egypt had well-made pottery, vases of moderately hard stone, delicate but simple ivory work, but no brick or stone building, and no writing. The North Americans or the more advanced Polynesians seem to be the nearest equivalent in culture. In the later prehistoric age we see the finest work in hard stone vases and flint, much foreign import, and good carving, but figures still crude. The Maori work seems to be the nearest parallel as a whole, though inferior in some ways. The first dynasty with the skill in hand work almost maintained, with metal and glazed pottery freely used, ivory finely carved, and writing habitual, was much on the level of the Malay States; Mexico stood above it in the large stone working there, and might rather be compared with the IIIrd dynasty. After that there are no comparisons, as Egypt had a civilisation simple in its materials, but developed to the highest pitch in their application.

Of the other great centre, Elam and Mesopotamia, we know much less of the earliest stages. Susa begins with fine pottery bearing painted patterns along with Solutrean flint work. In the next stage the finest ivory carving was reached (*Ancient Egypt*, 1917, 26). These two stages might perhaps be most nearly equalled in early Japan, and the rise of art there. The Sumerian stage of Mesopotamia produced good sculpture, and a great commercial development of law and documents,

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for which there is no ready comparison, as all peoples have continued to inherit and borrow the Sumerian system.

When we try to estimate the condition of historic periods we must not lay too much stress on unaccustomed features. The Egyptian kings of the XVIIIth dynasty have been absurdly compared to Mtesa, because they maltreated their enemies. Rather we should class them above Louis XIVth. who infamously tortured his most faithful subjects if they differed from him in religion. We must avoid trusting our judgment too exclusively either on moral or on artistic grounds—both have their place in judging of a civilisation. We must not refuse our admiration for the “best and greatest” of Emperors, Trajan, because his life was such that he would be sent to penal servitude in these days; nor must we object to one of the admirable emperors, Gordian II., because “he loved pleasure, but yet without scandal,” that is to say, with a harem of two and twenty and near a hundred children. Our judgments of the past must be based on the standards of the people themselves, and not according to other ages. Similarly, on the other hand we must not depreciate the moral grandeur of Isaiah or Amos because the sculpture of that age is trivial and its pottery ugly. Nor must we depreciate Greek art and philosophy because their politics were short-sighted and amenable to Persian gold. Each

civilisation has to be adapted to its own conditions, and by its success in those conditions, and the benefits it has bequeathed to mankind, it must be judged by posterity.

*The Centres of Culture.*

The earliest of the great civilisations seems to have been that of Elam. Ivory carving of animals, of the finest quality, appears to have come from there, contemporary with the second prehistoric age of Egypt (*Anc. Eg.*, 1917, 26). That was in the cycle previous to the 1st dynasty of Egypt, which is dated by the Egyptians to 5500 B.C., so we may say about 7000 B.C. for the full artistic development of Elam. This may be checked by the beginning of this age being associated with Solutrean flints, while rather later the Egyptians were using flints of Magdalenian type. Perhaps no geologist would place either of these periods as late as 7000 B.C., most would date them much farther back. Again, the city of Eridu was "on the shore of the sea" in the time of King Dungi (K.S. 282) ; by the rate of filling of the Persian Gulf since Greek times, Eridu was on the shore at 5000 B.C. ; this does not sanction reducing the date of Dungi any nearer than 3100 B.C., which is his position by Mesopotamian records ; and hence the earlier ages are not likely to have been any shorter than we have reckoned.

The next great civilisation was that of Egypt,

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which reached full artistic power in the 1st dynasty, 5500 B.C. From that time onward the Egyptian maintained his records. For the earlier centuries we have fragments of the official annals giving every king's reign exact to a single day, and the height of the Nile for every year. The continuation of this record belongs to the written history, which we shall deal with in the next chapter.

Crete next appears with an independent civilisation, beginning as far back as the Pyramid age, before 4000 B.C. ; rising and waning in unison with Egypt, it produced great works at about 3000 B.C., and was in its most flourishing age about 1500 B.C. At that time great constructions were carried out, the arrangement and drainage of which were better than in any other place for a thousand years later : the main forms of European dress, which we inherit, were established ; the artistic work was never surpassed on its own lines of thought and feeling.

Apparently the next great development was the civilisation of China, beginning rather before 2000 B.C. That may have been started from the Perso-Babylonian centre, but its development was so individual and apart from the other influences, that it has maintained its character down to our own day. In its time it influenced all Northern Asia. The Bronze age in Russia west of the Urals was in touch with European styles ; east of the Urals its family type is that of China (*Man*, 1917, arts. 86, 134).

The next important centre was the North Syrian. From Tyre northward up to Armenia, the Egyptians found a civilisation which was in some ways superior to their own, when they attacked it in 1500 B.C. The artists and their products from this region were eagerly brought into Egypt. This was part of a general culture including the neighbouring states of Mitanni on the Tigris, of Assyria, of the Hittites who descended from Armenia, and of the Aryan peoples who worshipped Varuna and Indra in those regions. This whole group had a great influence on the furtherance of the Bronze age civilisation in eastern Europe, although the European style was worked out independently.

The heyday of the bronze and early iron civilisation in and around Italy seems to have been about 800 B.C. The classical Greek and Roman life was but the inheritance of this period of the Kings, full-blown and followed to its bitter end.

This comparison of the starting-points of what may be considered as full and continuous civilisation in the different centres, will serve to show how the world has come, region by region, into the bond of a controlling system, which renders each country interdependent with others: a condition in which man has had largely to resign his liberty of action, to exchange it for the great advantages of stability, enlarged production, and common benefits. Associated with this stage is the mastering change from

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production for use to production for exchange ; the growing of corn and other food for barter or sale, the establishment of handiwork as a profession instead of an incident in life, the controlling influence of trade and the demands of other people. All this means the transformation of man from a separate polyp of a colony, to being a cell in a body corporate, a cell which can no longer exist except in its place in the body, and which is banned and outcast if it does not fulfil its assigned function. Great is the gain to the cell by its association in the body, to serve higher ends, to maintain a greater life ; great also is its loss by being enmeshed in the decay of the body and ultimate extinction, in place of the continued fission and perpetual continuance of a simpler form of life. So man by taking his place in a system for great ends is involved in the catastrophes, the decay, and the extinction, which are the necessary fate of higher organisms of society.

After noting the conditions and centres of civilisation we turn to the different classes of unwritten remains which show the action of man in historic times. These are mainly Roads, Towns, Names, Architecture, and Art.

### *Roads.*

From the earliest days of a permanent population roads or tracks must have existed, and probably a large part of these remain in use to the



present time. Before streams are bridged, a river-side is very bad for a road; it is often marshy, and continually cut across by side streams. The ideal road line is a dry escarpment, fairly high to command the country, and too steep to be densely wooded. One great line of this kind is the northern face of the chalk escarpment along which the Icknield Way runs from Wiltshire to Norfolk. A shorter line is on the south face of the chalk, from Farnham to Folkestone, later called the Pilgrim's Way. The southern part of the Fosse Way clings to the dry Oolite from south of Bath to Stow. Such natural lines would be the earliest to be adopted; and they have been very little altered, as the ground was not suited for towns, and was too steep and barren for cultivation. Another kind of roadway was that along a crest of hills, as the Ridgeway in Berkshire. Beside these main lines, the country is covered with tracks, especially where woodland has not been removed. The general nature of these early tracks is sinuous, but never losing the general direction, or wasting distance. They are generally well adapted to the lie of the country, and were probably taken over by man from pre-human cattle tracks. In Egypt the jackal paths are always the best lines for crossing the desert; and in Yorkshire from the vale of Pickering to a neighbouring valley there is a series of sunk ways side by side, evidently tramped out by herds of cattle shifting pastures during long

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ages. The Roman system of straight-lined roads was quite different, ignoring convenience to a large extent for the sake of military observation. The difference between a pre-Roman and a Roman road is usually obvious on the map. It should be noted that the straight Roman road is often a substitute for a sinuous British road within a mile or two of its course (Fig. 5).

The historical value of a road lies in the places it connects, and its relation to the objects that it passes. Obviously a road joining two places of Roman or of British age is as old as the places. It will have undergone many changes; sudden stoppages where it is diverted to a different line, but falling back again soon into the old course; changes into a footpath, keeping the old right of way; marked out by a row of trees across a field the relics of a hedge which bordered it; or often a parish boundary-line, though no trace of path remains. A good instance is the road continuing the main street of Worcester, south to Tewkesbury. It has been superseded by a parallel line nearer to the Severn; but the old line is plain though broken into a dozen pieces, as footpaths, boundaries, and lines of copse. Another pretty example is the track from the camp on Blackheath to Holwood Camp, Keston, which though altered in a dozen forms can still be walked over in a straight line from end to end. The vitality of a road exceeds that of any other human work. On the east of

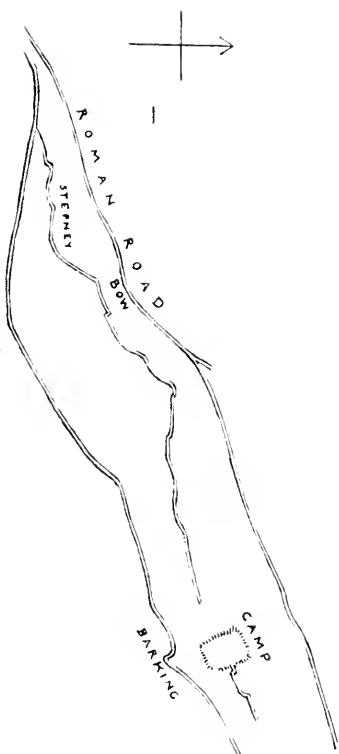
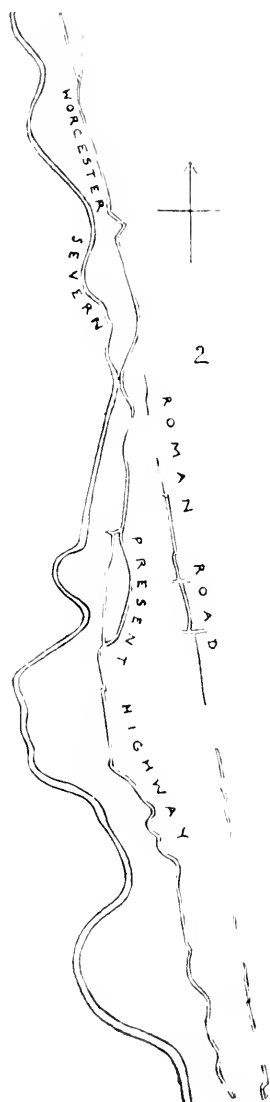


FIG. 5.

1. Early pre-Roman road by Stepney, with Roman Camp placed across road. Pre-Roman road by Barking, crossing the Lea lower down. Later Roman road parallel to these on the north.
2. Roman road through Worcester to Tewkesbury. Parallel highway nearer to Severn, probably older.

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Shrewsbury the main road was diverted for the extension of a Norman monastery; after the dissolution it remained bent aside for over three centuries, but at last it triumphed, and the old line is restored through the midst of the ruins. Great houses built by the roadside generally lead to thrusting the road out of line in order to take in a park. Eltham Palace switched a footpath aside to make room for the great hall. Roads thus enable us to distinguish the relative age of towns or settlements, for if a road joining two centres is diverted for a third purpose, the third must be later than the others. Further, the roads show the extent of cultivation when towns were founded. If the fields already existed, the road will cut skew across them, much as a railway does now. Where the road was the earlier, the fields are laid out square with it, however it may bend or wind. Thus the history of the enclosure of the country can be traced.

Now pass to the roads within a town, the streets. Looking over a city plan a great deal of its history can be read at sight. Two closely parallel streets—especially if they curve—mark the line inside and outside of the city wall, such as Houndsditch and Bevis Marks, or Fore Street and London Wall. The whole outline of ancient London stares at us from the map, with the names of all the gates along the wall line. Florence carries its history in its plan (Fig. 6). First the

Roman road crosses the Arno diagonally, and the

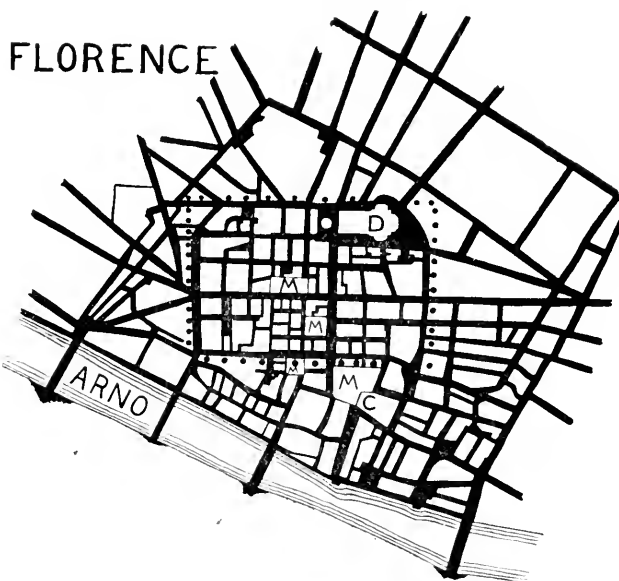


FIG. 6.

The first city was laid out square with the road—Roman or earlier—which crossed the Arno diagonally. The limits of this city are marked by a row of dots. Later a larger city started square with the Arno, and this resulted in a great complication of irregular angles of streets, between the limits of the inner and outer cities. Observe the fan of diverging roads from the western gate of the inner city; and the new market set up outside the south gate of the inner city. (M.)

square city was laid out upon it, from Via Tornabuoni to the Duomo. Then the medieval city was

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set around this, square with the river, up the Via de Benci on the east, and past the Piazza S. Maria Novella on the west, the skew form of which is due to the two different systems clashing. Lastly, the modern city has taken fresh outlines outside of both these systems. A critical feature in a town plan is a forking road ; this usually marks an old boundary of the town, where roads diverged outside of the gateway. In London such forking is seen north of Finsbury Square, in Whitechapel High Street, and at St. Luke's Hospital. A brilliant example of five forking roads is seen at each end of the primitive square of Bologna, marking its old limits unmistakably (Fig. 7).

Thus the history of the occupation of a country is written on its roads and streets. To read over a map, especially such as the 6-inch Survey, is to have the skeleton of the history before one, only needing to be articulated by the dating of towns and buildings, to give a meaning to innumerable details of history in the life of the country.

The green lanes are somewhat different ; they represent the last stage of a purely pastoral country. As cultivation encroached, the enclosures were left wide apart along the lines where sheep and cattle were moved. The width was required in order that a shepherd's flock should not straggle out of sight over too great a length, as they went browsing along. Thus the green lanes would converge on market centres, but not join up two towns. The

subject of roads is a vast one, as yet unworked :



FIG. 7.

Plan of streets ; with the ditches, and continuations dotted, to show the original fosse of the primitive *terra mare* settlement. This square was divided by two great streets crossing in the middle ; with, M, market-place, and C, communal building, at the central cross. D is the duomo, cathedral. All these were public ground, probably from the first city. Immediately inside the fosse there is a wide road, on three sides. Outside the fosse the roads diverge as a fan, in what was open country, five on the east, and also on the west. Note the new market set up outside the west gate of the older city.

but it might occupy dozens of students profitably.

*Names.*

Next to roads, names are the most permanent results of settlement, and outlast many changes of population. Half the cities of England have British names, with a few Roman. In Eastern countries most of the places mentioned in 1500 B.C. can still be found by name. The great value of names in history is as fixing at least a minimum for the age of towns. Every chester, cester, caster or caister is Roman or earlier; every car, caer, went, win, knock or avon is British. Every road joining two such places is of the same age. Of the places named in the Roman itineraries 40 retain the name in some form, while 50 partly have fresh names, or in many cases are sites lost to use altogether. Thus, broadly speaking, half of the British and Roman names remain. Names may be changed without a desolation and resettlement, as the Saxon Streaneshalch became the Norse Whitby, or Aquæ Sulis became Bath. Hence a name only gives a later limit for the age of a place, and the first settlement may be much older, so that there may be Neolithic sites, Bronze age settlements, Pictish or Gaelic places, overlaid by Brythonic names. The settlements and their connected roads may be much older than the names, which at least give us a guarantee of a minimum age. In the absence of excavations which would fix the history of a town, the names serve to disentangle the later



history of the road system. Whenever antiquities are accidentally found in a town the earliest thing reported is usually Roman, stray bronze or flint tools are seldom found or recorded, and there is no sufficient record of pre-Roman objects to be of much historic value. So far therefore, until we are more systematic in excavating and recording British history, the names of places give nearly all the information that we have to date the road system. Sometimes the names also serve to show the changes in the condition of the country. The Pwl, or British harbour, at Pulborough, has long since been silted up by the Arun flats. The Pool in the Thames was the British centre of a commercial road system, which was broken up by the later concentration on the City of London. The many -ey names in the flats near the coast—Pevensay, Romney, Winchelsea—are evidence of how the estuarine valleys have been silted up since these were islands. The Fenland and the meres have all been drained, and form boundless flat fields, with church towers tilted about on their marshy foundations. The North Downs are no longer open down, but all cultivated ; so are many of the Heaths. The greens around London are built over ; and such names as the Great Turnstile, Windmill Street, or St. Giles in the Fields, belong to the days of Elizabeth. The Isle of Dogs is now an isle of docks, and Birkenhead is no longer a headland with birch trees. Two useful general

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works on names are Taylor's *Words and Places* and (with more exactness) McClure's *British Place Names*.

### *Architecture.*

Of all the works of man, building shows most about his means, his resources, and his social ideas. Where an immense pyramid stands there must have been a highly organised government, ruled by an autocrat, who believed in a future condition for which the body must be preserved. The Colosseum shows an equally organised government, but with the need of satisfying a great uneducated population. An Egyptian temple or a cathedral, slowly growing century by century, shows an organised priesthood, well endowed, and devoted to the glories of its religion. The causes and the means of each erection let us into many details of the society of the age. A peculiar feature of the Cretan palaces, the very wide flights of steps, is the extreme opposite to the Norman castle with its jealous corkscrew stairs; in Crete large concourses of people, probably guilds or orders of society, were admitted to the rulers, there was a sense of security and therefore necessarily a well-framed society; in Norman England almost any man was a possible assassin, and the greatest care was needed for safety against open or private attack on leaders.

The materials used in building tell much about the builders. In the series of pyramids the finest

material and work is at the beginning, and through the IVth to the VIth dynasties the degeneration is continuous, until a pyramid was a mere shell of building filled with chips. The form was revived in the XIIth dynasty, as a large structure of stone and brick ; by the end of that dynasty it was a pile of mud bricks with a thin stone casing to hide it. In the earlier periods granite was used for columns, its strength allowing of wide airy spaces between them ; fine limestone served for the carving, taking a most delicate finish of details. In the XVIIIth-XXth dynasties weak sandstone columns needed to be so crowded together that they blocked up the area of the buildings, and the coarse grain of the stone killed all delicacy of work. The ideals of the nation had changed from beauty and perfection to vulgar profuseness.

The accuracy of construction is evidence of high purpose and great capability and training. In the earliest pyramid the precision of the whole mass is such that the error would be exceeded by that of a metal measure used on a mild or a cold day ; the error of levelling is less than can be seen with the naked eye. In a later age a granite sarcophagus (at Lahun) is wrought with a finish like that of modern opticians' work. At the Parthenon the diameters of the column, even into the flutings, are so exquisitely true that on the fallen drums it is needful to use a magnifier to measure the variations. To any one who knows how much accurate work

implies—the sense of its hidden beauty, the will to determine it, the training to produce it, the watchful care and patience to carry it out, the supervision to ensure it—these ancient perfections tell as much of the human spirit as any discourse or drama that has come into our hands. Contrast with this the commercial Babylonian or the military Assyrian who has not left a single piece of work equal to the inferior products of Egypt, and most of whose stone cutting is obviously out of shape.

All great building implies much training and organising of labour. A pyramid required a couple of thousand skilled masons always at work, and 100,000 labourers to do the rough hauling during part of the year. These all needed close and efficient organisation. The Egyptian usually arranged labour in groups of ten, with a head man; and we know from the mining records how minutely work was subdivided. Every detail was allotted to the responsibility of an individual; one man prospected, another tested the rock, a third took charge of the products. There are over fifty different qualities and grades of officials and labourers named in the mining expeditions, and this was probably a less complex affair than the quarrying, labour, building, and decoration for a temple.

A valuable aid to history was the custom of placing deposits under the foundations of buildings. At each corner, sometimes at each branch wall

and each doorway, the Egyptian placed specimens of all materials used in the building, with the king's name on each, models of the tools and of the food, etc., of the workmen. Thus after a building has been removed to the last stone, the foundation beds of sand preserve the plan, and the deposits show the builder. Something like this custom was followed in other countries, but we have not sufficient information to see the system elsewhere.

The plan of a town shows much of the mental standpoint of a people. The Arab is incapable of a town, he can only add together a confusion of huts and houses; but the Coptic villages have straight roads, often fairly wide, well kept and tidy. Few Egyptian towns have been clearly excavated; but one precious example of the XIIth dynasty gives a plan of some two thousand rooms, and shows exactly how the Egyptian laid out a town (*Kahun*; *Illahun*). Each street was of a uniform type of house. There were no gardens, but each house however small had its open court, just as in peasant houses now. The ordinary workman had at least three rooms besides the open court. Other houses had four, five, or six rooms, with probably some upper sheds on the top. The high officials had uniform mansions of over fifty rooms and five halls or courts (Fig. 8). The plan of these shows much of the domestic system. The mansion was divided into two sides, by a pair of parallel passages running from front to back. This duplicate passage

proves that we have here the men's and the women's

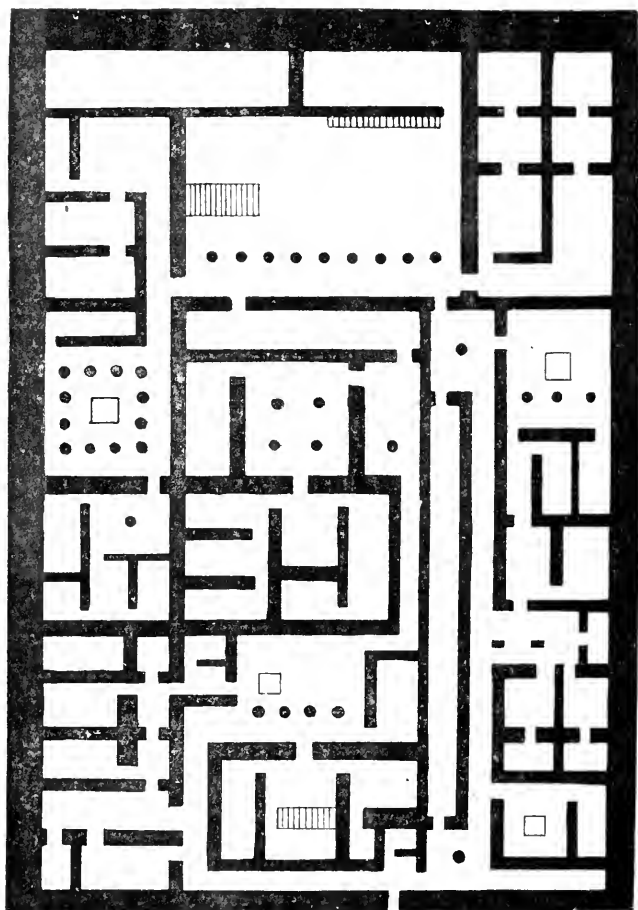


FIG. 8.

quarters separate. At the door was the porter's

recess, and cubicle behind it. Then the visitor could go down either the men's or the women's passage, each opening into its set of rooms, or else turn to the left along a third passage to the kitchen quarters. There was a hall with a central tank, open in the middle, in both the men's and women's side ; also on the men's side the winter hall with a fireplace, the master's private hall next to his bedroom, which had a raised recess for sleeping ; and lastly the wide open court at the north end of the house, with a colonnade along the south side of it. The kitchen quarters were evidently kept at the south, near the entrance, so that the smoke and smell should be blown away by the prevalent north wind. The whole mansion occupied a plot of  $198 \times 138$  feet ; the largest covered hall was 29 feet square.

The detached houses of the peasantry, between the VIth and XIth dynasties, are well known by the models which were placed by the grave for the spirit. This custom has fortunately preserved the details which would otherwise be quite unknown. The essentials for a dwelling were a colonnade or verandah, looking on a little courtyard with a tank in the middle. The next grade had a room behind the verandah, or two rooms. Then a parapet wall was added, to hold things on the roof ; next a shelter on the roof. At last the best houses had a sleeping-room on the ground floor, a day room over that, and a flight of steps leading up

past both rooms to the store place on the roof. Beneath the stairs was a quiet corner for the woman grinding the corn. Behind the living rooms were store-rooms, making a six-roomed house of two stories. In all this we see reflected the social ideas of the people ; their love of privacy, the search for coolness by day and by night, the care of property in store-rooms (G.R.).

Unfortunately in all other countries the climate has destroyed the slight houses of the people ; and it is only where they have been buried, as at Pompeii, that the plans can be recovered. In Palestine the substantial town houses have been traced, as in the plans of Gezer and Sandehanna. They are more on the Italian lines of *insulæ*, rather than the Egyptian system of streets, the two opposite principles of town construction.

### *Art.*

The Art of a people is one of the most complete keys to their mental life and condition. It unlocks for us much that literature does not reach ; and its scope in time and place is far wider than that of literature, and therefore offers a much firmer basis for the comparison of different civilisations. In literature Europe is entirely dumb to us before the days of Homer, and even the speech of the Cretan civilisation is unknown to us. Yet that beginning of literature came after all the epochs of the great Art of Crete. From the days of the



Palæolithic cave-dweller we can begin to appreciate his frame of mind, his instinctive memory of nature in the life-like strokes of ivory carving of animals, or the crowd of wayward lumbering bisons painted on the walls of his caves. The sympathy with nature, the love of form and representation, the sense of the inevitable action and expression of an animal, are all as much a part of the man as with the truest artists at present. We may even look further back, to that age of the grand flint-working of the Chellean period. Nothing has survived of that age except flint work ; the leather-work, wood carving, and other outflows of man's creative mind have all perished. But the fine symmetrical forms of the flint tools, cloven into shape by large bold flaking, yet exquisitely regular and noble in the outlines, show a great mind and skill, though in a simple stage. The people who could work thus could hardly be deficient in foresight and design in the rest of their lives. The history of man may be blank to us as to his outward movements, in those ages of quite different conditions ; but we have penetrated to his mind, crossing all the barriers of time and space, like the spectrum analysis of the stars. >

The history of every artistic period that we can trace seems to show the same general course ; there is a brief period of archaism, rising rapidly to the greatest perfection of the style, and after that a continuous decline to complete degeneration

(R.C.). The decay is sometimes arrested by an artificial recurrence to copying the early stages ; but this never results in an organic rejuvenescence, it is only the hair dyes and rouge of ageing humanity. Let us never flatter ourselves that we can become again Early English or Flamboyant, any more than Hadrian could rival Pericles by archaistic Athēnes.

The earliest great Art that we yet see is that of Elam (perhaps 7000 B.C.), contemporary with the second prehistoric age of Egypt. The ivory carving (Louvre) due to that time shows the most perfect and living figures of animals, instinct with feeling, and with charming dignity. This is parallel with the spirited ivory carving of the Magdalenian cave-dwellers in Europe (A.E., 1917, 26).

The second age of Art is that of the beginning of the Egyptian dynasties (5500 B.C.). Highly finished ivory carving, with subtle expression, was developed. Stone carving likewise showed character, as well as fine detail and good proportion. Work was unconventional, not yet on fixed lines, reaching out sometimes to more natural expression than was reached later (Abydos II.). For examples of this and other periods see *Revolutions of Civilisation* (Harper).

The third age is that of the Pyramid builders, the essential feeling of which is dignity and repose. The perfectly self-contained determination of the kings and great nobles, ruling by law and justice without turning to the right or the left, is stamped



EARLIEST GREAT ART, FROM ELAM. IVORY KNIFE HANDLE.  
DOUBLE SIZE



on the face and the whole bearing of the figures, from the minute ivory of Khufu to the life-size diorite of Khafra. The subordinates show their discipline in their aspect and movement; the reliefs are almost half-round at first, with a fullness of detail and expression. In Crete some of the finest work was being done, as at Mochlos.

The fourth age, of the XIIth dynasty, is that of refinement and delicacy. The sculptures are in low relief, with almost imperceptible curves in the surface. The outlines are very pure and abstract, without any *abandon*. The jewellery is minute and brilliant, with the perfection of workmanship. The whole style shows severe training and restraint.

The fifth age, of the XVIIIth dynasty, is full of life and colour, ready for hasty and cheap effects if only a bright and vivid style can be impressed. A strong sense of living beauty appears, and the whole air of the age is more popularly attractive than that of any other time. In the course of three or four centuries this passed into complete degradation, as it lacked the self-respect of other periods. In Crete this was also a time of the brightest work and the most striking effects.

The sixth age, with the mixture of Greek influences, was mainly a time of copying. In portraiture some fine work was done, which shows both Persian and Greek feeling. The Egyptian still retained his keen sense of the difference of races, and all the types that passed by in the cosmopolitan

trade were grasped and modelled. The supremacy in Art had however now passed westward to Greece.

The seventh age was in the East strictly confined in its art by the fanaticism of Islam ; all the old centres of life were restrained, and it is only in Europe that we can see it soaring in Architecture in a manner which no other age had known, so familiar to us that we can hardly stand far enough off to realise its unique beauty. The XIIIth century was the culmination of sculpture and architecture, since which there has been continual decline or copying.

Now each of these ages, in its own mode and character, has been unsurpassed by any of the others ; no one is intrinsically greater or less than another ; each is supreme in its own taste ; and with each we should learn to sympathise and rejoice. Each age has its own bearing on human life, each is an essential part of that general history of mankind, which we need to know if we would understand human nature. Such is Unwritten History.

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## CHAPTER II

### BYWAYS OF WRITTEN HISTORY

WHAT is a byway? A way that is unfrequented. It may be the shortest way, or the only way, to some place, but few use it. Let us look at over 200 volumes on History in a publisher's classified list, and what do we find? Plenty about England, a good deal of Ireland or Scotland, some books about modern Europe, India and Australia, some about Greece and Rome. Nothing about the greater part of the world, or the greater part of history. Our byways therefore cover most of all that there is to be known, and our usual history teaching should be termed "select passages," and nothing more.

#### *Egypt.*

The most definite body of history that any country possesses is that of Egypt. In its original form it was precise to a day. The Annals began with a list of the prehistoric kings, known by tradition, just as the lists of rulers in Equatorial Africa are now orally preserved for some centuries

back. Then with the use of writing at the beginning of the First dynasty, starts the record of the principal event of each year, also the height of the Nile, the lengths of the kings' reigns to a day, and the length of interregnum between reigns. We have fragments of these Annals, finely engraved on stone, extending over some twelve centuries, about 5500-4300 B.C. The largest piece is in the Palermo Museum.

The next great document is the Canon of Kings, of which fragments remain at Turin. This was copied about 1600 or 1700 B.C. It is agreed, even by those who would decry it, that it represents a long line of dynasties covering several thousands of years. All the collateral information of monuments agrees in general with this record, and fixes its authentic character. As the early Annals state each reign to a day, so does the Canon of Kings; and there is no reason to doubt the truth of such exact record, or the good faith of those who copied it.

The third great document, though abbreviated and corrupt, is of the highest value as being continuous and complete, and therefore serving to articulate the fragments of the Annals and the Canon. Whatever damage it has suffered, this history of Manetho, written in Greek, was at least drawn up with all the records that had survived down to Greek times in Egypt. It is agreed that it accords in its general extent of time with the centuries shown by the Annals and the Canon;



the corruptions of any such document full of details may affect the exact correspondence, but not the whole scale of time. The classical records of the Ptolemies are mostly wrong in the length of every reign, by sheer corruption ; yet they are right as a whole.

The principal external check on this history lies in the rotation of the Egyptian months through the seasons. By the recorded rising of Sirius at a given month and day there is fixed the interval from the beginning of the XXVIth dynasty, known in Greek history, back to the beginning of the XVIIIth dynasty ; again, we have the interval from that back to the XIIIth dynasty ; further back we have the interval from the XIIIth dynasty back to the IIIrd as shown by the months of quarrying recorded then, during the inundation. These work out thus :

	Fixed.	Manetho.
Beginning of XXVIth	664 B.C.	664 B.C.
„ XVIIIth	1587	1611
„ XIIIth	3366	3301
„ IVth at least	4717	4659 or 4830
„ Ist		5500

There are various readings in the interval of the XIIIth to IVth dynasty, and the extreme highest and lowest results are here stated. It is certain that such was the chronology known to the

Egyptians; and there can be no question that the total is known to about a century either way. Those who would abandon Manetho, must—as they confess—abandon the precise record of the Canon of Kings also. All that they propose to substitute is an arbitrary personal impression. It is worth while to enter on this matter, as it determines the whole scale of prehistoric Europe. Several other collateral evidences in Egypt agree to this scale of time, and there is not a single definite fact incompatible with it.

Still earlier there are two civilisations preceding the 1st dynasty. They were parallel to the Magdalenian age of Europe in their flint work; and by the general number of graves they probably extended from 5500 B.C. back to about 8000 B.C., and perhaps much longer.

Throughout this Egyptian history there is much known of the civilisation in each of the periods of prosperity. Of the 1st dynasty there are the Royal Tombs and table service, and the titles of over a hundred royal officials. Of the IVth–VIth dynasties there are hundreds of sculptures of daily life on the tomb walls, a picture-book of civilisation beyond anything of any later age or country; also the mental view shown by books of ethical proverbs. The XIIth dynasty is known by tales of foreign travel, biographies, and pictures of the life on the feudal estates. The XVIIIth–XXth dynasties have left hundreds of painted tombs, well known at

Thebes, much literature, and a large number of sculptured monuments, so that this age is more familiar than is much of Greek or Roman history.

The abundance of material remains of each age in Egypt, preserved by the dryness of the climate, gives a most detailed view of the life of the people, from the earliest prehistoric graves onward, and shows us a race of the greatest skill, industry and ability. Much of their work is quite beyond the range of modern skill of hand, whether in the flint flaking of prehistoric times, the masonry of the IVth dynasty, the inlaid jewellery of the XIIth dynasty, the gigantic granite work of the XVIIIth dynasty, or the accuracy of weights in the Arab times. The abundance and exact dating of the myriads of objects found, render Egypt the standard country for training in the method of historical work, outside of classical history.

### *Mesopotamia.*

The other long continuous civilisation is that of Mesopotamia. The time of this, stretching to before 2000 B.C., is now absolutely fixed by tablets recording the position of Venus, on certain days and months. These give a date of 1977 B.C.; and adding on the known reigns of kings before that, we reach 2225 or 2229 B.C. for the Ist Babylonian dynasty (K.B.). This so closely accords with the statement of 2232 B.C. drawn up in Greek times, that it shows the reliability of Greek knowledge

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of the national records. This fixed result places the great law-giver Hammurabi at 2130–2088 B.C. ; and the document of Nabonidus in the VIth century B.C. states this king as 700 years before Burnaburiash of 1380 B.C., thus giving about 2080 for Hammurabi. Now another document, also of Nabonidus, gives 3200 years as elapsed since King Naram-Sin, that is  $550 \text{ B.C.} + 3200 = 3750 \text{ B.C.}$  This, and the statement about Hammurabi, were both rejected, and recently said to be impossible. So soon as positive information was obtained, the date of Hammurabi was verified as correct. It would at least be well to learn from this to let ancient statements stand, until we have some precise means of testing them.

Before the triumph of the Semite Sargon—placed to 3800 B.C.—there was a long period of rival city states, of which we have as yet only detached fragments of history ; what period this may really cover we have no means of determining. But we can at least say that the flint work there is Solutrean, a whole age before the Magdalenian flint work, dated in Egypt to 6000–8000 B.C. The actual link with Egypt appears with a flint knife of the age between 6000 and 7000 B.C., fitted with an ivory handle of the finest artistic work (Fig. 9), and Elamite motives, showing that Elam was a whole cycle in advance of Egypt (A.E., 1917, 26). Further, at the bottom of the mound of Susa, the earliest people there were using finely

painted pottery, made on a wheel, proving that they started with a long course of development behind them (D.M.). Thus we reach the dates of

Hammurabi, 2100 B.C.

Sargon, 3800.

Sumerian civilisation.

High artistic work of Elam=6500 Magdalenian.

Fine painted pottery=Solutrean.

We know nothing about what went to make this earliest civilisation, and we might easily find before this another 5000 years of stages preserved in the remains of settlements.

What we owe to this Sumerian civilisation will be noticed further on. At least it deserves the closest attention as being based on the Elamite culture, which is—so far—the earliest that we know in the world. In Elam we are not yet at the beginning of civilisation, but we are in touch with the most-favoured-nation products of the age of the reindeer period in Europe, before the last touch of glaciation. We learn to look on what we find in Europe as being the savage fringe of more civilised regions in happier circumstances. To the more favourable lands we must look to define the change of human ability.

In the later historic ages the succession of the main divisions of history in Mesopotamia are, the Arab domination of Islam beginning in 637 A.D.; the Persian rule of the Sassanians from 236 A.D.;

the Parthian conquest in 250 B.C. ; the Greek age beginning with Alexander in Babylon, 331 B.C. The older world comprises the Persian Empire of Cyrus, 539-331 ; the Neo-Babylonian of Nebuchadnezzar, 625-539 ; the Assyrian domination, 732-606 ; short dynasties before that, following the Kassite rule, 1760-1185 B.C. : then the sea kings and the great dynasty of Hammurabi, 2232-1926 B.C. Of the whole of these ages we have fairly continuous record, and can visualise the state of the land pretty completely. They are as solid a part of history as our Saxon kings.

### *Palestine.*

The history of Palestine cannot be traced further than the Neolithic cave sanctuaries of about 3000 B.C. In these caves the bodies were burned, and over them were piled the infant sacrifices of the Canaanite worship. Little has yet been traced of this age. The Amorite age which followed it is the most original and distinctive period of the country. The Semitic Amorites seem to have been akin to the Hyksos migration, which streamed down Syria into Egypt. They had brought much of civilisation with them from Babylonia, and they developed a high ability in metal work, so that their products and their artists were eagerly sought by the Egyptian conquerors about 1500 B.C. The Amorite had pressed on an older population, and it was his fusion of race with the native Canaanite that produced the high civilisation

which the Egyptians met. The distinctive sign of the Amorite is the stone pillar worship. He set up those rough stone pillars, as high as ten feet or more in the older sanctuaries, in a row, of sometimes as many as eight. They were the centre of worship, altars were placed between them for offerings, and this national worship of the high places continued, largely partaken of by the Israelites, till the Captivity. The sacred pillars or tall conical stones are figured on Roman coins of Syrian shrines; the Gabal or stone of Emesa was brought to Rome with great pomp by the crazy orgiastic Syrian priest who ruled the Roman world; and in the present time I have found a conical stone placed on a shelf, in a little weed-grown enclosure in a Syrian village. How far this system of rows of sacred stones may be linked with the rows of great monoliths of the Bronze age in the West we cannot yet discriminate. The Amorite civilisation received a great shock in the repeated raids of Egypt, 1500-1160 B.C. It was also being largely affected there by the Egyptian, the Cretan, and the Cypriot works which flowed into Syria. Thus it became modified, and passed into the nondescript Levantine style, which was taken up by the Phœnician Brummagem workers, and spread over the Mediterranean.

The Jewish age has left nothing distinctive but its literature. In construction and art the Jew simply contracted with the Phœnician to supply

him with the customary work of the time. Syria never again had a distinctive style after the decay of the Amorites. The Phœnician work gave place gradually to Greek influences, and by the Hellenistic age Syria merely had a florid branch of Western art. To the present time Syria is without any style of its own, and is the recipient of all that is imposed on it by political and economic forces.

It is in the strength of its religious sense that Syria has been original. The sun worship from Syria was the basis of the earliest principate of Egypt, in prehistoric Heliopolis. This same sun worship, refined to a scientific faith, dominated Egypt in 1380 B.C. under Akhenaten. The Moloch worship of Syria was carried west by the Phœnicians to Carthage and Spain. The rise of Monotheism as an exclusive faith starts in the Jewish race in Syria, which also was the fountain of the immense flow of Christianity over the world. The various fanatic sects of Syria in the Middle Ages repeatedly appear, down to the powerful Druse community with its secret worship still in the Lebanon. We can never understand history without recognising religion as one of the greatest factors in politics, from Belfast to Borneo.

### *India.*

Further to the East, in India, there is nothing of the remote civilisation that meets us in the preceding lands. The earliest hymns may not



have been composed before 1200 B.C., the earliest material remains are coins contemporary with Greek dominion (R.A.). The history does not concern the rise of civilisation, but its growth in special surroundings. Roughly we might equate early India with the Kassite invasion of Babylonia. The Aryan Kassite in the XVIIIth century B.C. flowed down into Mesopotamia, found there a high civilisation, and adopted it. The Aryan at about the same time, probably as a result of the same climatic changes, flowed over into India, and finding nothing to adopt in the native culture, developed on his own lines, with much poetry but no history. The description of society of the Rig-veda as a "somewhat advanced military aristocracy," would equally describe the Kassites. The bow and arrow and the horse were the most important possessions of each.

The distinctive features of early India are Brahminism produced by a superiority of race, and the two revolts from it of Jainism and Buddhism, both in the VIth century B.C. The results were both of them congregational and monastic systems, using the local vernaculars, protesting against caste bondage, and seeking freedom in personal ethics. The special interest in the Buddhist period in India is the character of Asoka, one of the most beautiful ever recorded (V.). He put his whole heart into trying to raise the moral standpoint of his subjects, in his immense empire covering nearly all India.

His edicts are unique as state documents. In one he writes, "Work I must for the public benefit—and the root of the matter is in exertion and despatch of business, than which nothing is more efficacious for the general welfare. And for what do I toil? For no other end than this, that I may discharge my debt to animate beings, and that while I make some happy in this world, they may in the next world gain heaven." In another edict, "His Majesty does reverence to men of all sects, whether ascetics or householders, by donations and various modes of reverence. His Majesty, however, cares not so much for donations or external reverence, as that there should be a growth of the essence of the matter in all sects; . . . the root of it is restraint of speech, to wit, a man must not do reverence to his own sect by disparaging that of another man. . . . Self-control, therefore, is meritorious, to wit, hearkening to the law of others, and hearkening willingly." "Although a man should do him an injury, His Majesty holds that it must be patiently borne, so far as it can possibly be borne. Even upon the forest tribes in his dominions His Majesty has compassion, and he seeks their conversion; . . . he desires for all animate beings security, control over the passions, peace of mind and joyousness." This doctrine he sent to preach to Ptolemy, Antigonus, Magas, and Alexander, with about as much effect on those bloodthirsty monarchs as it would have on Central

Europe now. "Thus aiming at the welfare and happiness of the people, I devote my attention to those far and near as much as to my own relatives, if haply I may guide some of them to happiness. In the same way I devote my attention to all communities. All sects have been revered by me with various forms of reverence. Nevertheless personal adherence to a man's particular creed seems to me the chief thing."

A fascinating picture of Indian life at this period has been preserved in the secular tales treasured as religious books in Tibet (Ralston, W.R.S., *Tibetan Tales*). The tale of Visakha opens with a king saying, "My sons and their wives have given themselves up to dress, and do not trouble themselves about household affairs, so that the property is going to ruin." A wise maiden is found, who does everything differently to her companions, and gives the quaintest reasons; she is then married to the king's last son, and proceeds to straighten out all the tangles of life, always seeing further than others. Every incident gives a fresh picture of daily affairs. There is the king who went on a tour of inspection, and found that every place belonged to his ministers, and he had no property left. Another story starts in heaven, with a god who was getting old, and so Mahabrahma ordered him to be born into a Brahmin's family. "The god replied in displeasure, 'O Mahabrahma, release me from this obligation.

Wherefore this stress ? Brahmins are addicted to perverse doctrine. He who wishes to come into existence in the house of a Brahmin is like unto one who from love of golden fetters sets his own feet in bondage.''' On every page there is some fresh picture of the India of the days of Chandra-gupta and Asoka.

*China.*

Then further East there is the great civilisation of China, fascinating in its devotion to the philosophy of life. Its art, while indigenous in its basis, yet has drawn in motives and methods largely from Siberia, still more from Persia and the West through Persia, and also from further India and Java. Yet all is treated with the square-set tranquillity of spirit, the self-respect of which is inscrutable to other races (M.C.). The civilisation was not nearly as old as that of the Sumerians, and the development of writing was in the semi-pictorial stage a couple of thousand years later than in the West. The early literature nearly all depends on verbal memory for its restoration after the Burning of the Books in 220 B.C., and massacre of the literati ; but an earlier copy of the Shu-king was recovered in 140 B.C. This curious ethical sketch of the principles of rule in successive reigns, about covers the age of the dominion of Babylon in the West, 2300-719 B.C.

The forms and decoration of cast bronze vases and weapons of the early ages have happily been preserved for us by the zeal of Chinese antiquaries,

who published 900 plates of engravings with descriptions in 1110 A.D., and a new edition in 1310 A.D. A useful translation of the earlier ages of this catalogue was issued by P. P. Thomas in 1851.

The critic may object that these drawings are too neat and perfect for the actual condition of such ancient bronzes ; but the fact that some of the designs attributed to the XVth century B.C. are clearly earlier and less mixed than those which are known to belong to later centuries, gives us confidence in the general accuracy of the work of these great archæologists. One important connection is that the principles of ornament about the XVth century have a strong resemblance to Mexican art, which entirely disappears in the style of a thousand years later. The Han period—just covering the age of the Arsacidæ—was one of the most flourishing ; but it is no longer Chinese art that we see. The long bands of animals and figures, in pottery imitation of repousse bronze, have come from the Indo-Bactrian and Scythian taste ; the vines and grapes, leaf borders, and bands of animals in scrollwork, are the regular stock subjects of Græco-Roman design. After that comes the Buddhist deluge, too vast to speak of here. We will only take refuge in a poet of the IXth century A.D. (G.C. 180):—

“ Green pines and a rustic hut,  
The sun sinking through pure air ;  
I take off my cap and stroll alone,  
Listening to the song of birds.

“ As iron from the mines,  
 As silver from lead,  
 So purify thy heart,  
 Loving the limpid and clean,  
 Like a clear pool in spring,  
 With its wondrous mirrored shapes,  
 So make for the spotless and true,  
 And, riding the moonbeam, revert to the Spiritual.

“ If the mind has wealth and rank,  
 One may make light of yellow gold,  
 Rich treasures pall ere long,  
 Simple joys deepen ever.”

The power of China lies in that love of Nature which, ever fresh and true, may enable it to renew the world, sane, ideal, economic and productive.

Turning now to the West, the literature of science finds little or no place in our usual curriculum. With the one exception of Euclid there is no ancient scientific work usually read ; and even this has been perverted, as the logical order of any subject is not the order for learning, which should be concrete and not abstract. Broadly speaking the successive civilisations have each won different stages in science ; the first dynasty in Egypt began the accurate perception of natural forms ; the XIIth dynasty, the observation of different kinds of civilisation ; the XVIIIth dynasty, the utilising of all usual materials and their properties ; the Græco-Roman age, the classification and registering of nature,—stars, lands, animals, plants, and stones ; the modern age, the understanding and utilising of the forces of nature.

*Ancient Science.*

In the long history of the development of geometry there is the most complete continuity between ancient and modern thought ; a clear outline of its growth, and criticism of its sources, may be seen in C. Taylor's *Ancient and Modern Geometry of Conics*, 1881. It should be a serious question to teachers whether the order of discovery in a subject—barring false leads—may not be the best order for presenting it to the mind ; much as an architect will learn more by watching the rise of a building, and climbing over its scaffolding, than by only seeing it complete. The gradual movement in geometry through concrete questions, modes of limitation, and approximations, appeals more to a learner than a purely abstract treatment based on intangible, and often unperceived, principles. In trigonometry, to refer the different ratios to abstract relations of lines, instead of the original relation of lines to a circle which gives the names to the ratios, is to load the memory instead of using the reason.

While all the earlier geometers were thinking in purely relative terms, it is the glory of Claudius Ptolemy to have sprung to the notion of co-ordinates in three dimensions, probably led by his systematic work in latitudes and longitudes for geography and astronomy. He largely built with older material, but his was the most systematic mind

of the ancient world, and his results were not surpassed for fifteen hundred years. From Iceland to the Malay States every country was mapped out by him, though dependent on all kinds of insufficient and erroneous data. He had scarcely any latitudes except by the hours in the longest day ; and, not knowing of refraction, these latitudes are all in excess. He had no longitude except by dead reckoning ; he had no bearings except a few of the most general ; and his road distances and sailing distances gave little or no indication of bends and turns. Out of such material he yet succeeded to an astonishing extent. When we come to the close analysis of a region we can trace how he worked—as I have lately done for Albion. He took all his latitudes available : with the road distances between them he settled the necessary angle with the meridian, to fit the distance into the latitude. A little error in the length of the day thus made the great distortion of turning Scotland over eastward. Then the coasting distances, reported in a day's sailing of about 50 miles, had to be fitted around the main framework. Lastly the road distances between the towns were fitted in as well as might be, usually without much coast connection. The results were stated to the nearest 5', and when we find the lines of road which he used, the distances are usually correct within this limit. Of course such a method left all the errors to accumulate on the parts that were not observed,



and so the product sometimes seems wildly erroneous to us ; but tracing out Ptolemy's own lines of research we find that he worked up his material with hardly any discrepancy visible to him. If we would see how such questions were handled, and what the state of uncertainty was regarding even latitudes of the best-known places, we must turn to the long and careful discussion of the general shape of the world by Strabo in his Introduction, occupying two hundred pages.

The lifelike description of the ancient world, people by people, products, customs and conditions, is rolled out before us by Strabo : the wild Albanians of the Caspian pampering for a year their annual sacrifice until he was slain, and burying all their money with them so that the country was ever poor : the Bactrians keeping dogs called " entombers," to eat up all who are diseased or old ; the wise Nabatæans who fine a person who has diminished his substance, and confer honours on him who has increased it ; or the Indian women, who if one killed the king when drunk, had the reward of becoming the wife of his successor. The true tales of our own days—of Bolsheviks who break up their army and yet declare war on the world, or the alternate incarnations of meat in pig and in German, will seem wilder to the future than the accounts of Strabo.

In another subject take up the translation of Theophrastus on stones, issued by Sir John Hill.

in 1774, and see how in two thousand years no advance had been made in understanding minerals. Hill's classification in tribes, orders, species, and varieties, is not in the least nearer the facts which are yielded by the last century of chemistry than is the system of Theophrastus. The colours of gems are settled by saying, "We know the ingredients which give their colour, by experiments in colouring glass and pastes." In "Animated Nature"—to use Goldsmith's excellent phrase—there was more successful study, as shown by Aristotle. The great mass of description of comparative structure and habits which he records, has hardly been surpassed in some directions, especially in the ample details about fishes.

Of practical craftsmanship and mechanics we read in the works of the elder Hero and Vitruvius; yet even these do not explain the marvellous delicacy of execution that we find, as in the Parthenon, where hundredths of an inch must be measured to detect the errors in the columns. Not only may we know the true scope of architecture from Vitruvius—half of which is abandoned by modern architects to the care of engineers—but we owe him one of the finest stories, which is usually ignored. Artemisia of Halicarnassos heard that the Rhodians were preparing to sail over and seize her capital. She ordered her fleet to be hidden in a small concealed harbour, and directed her subjects to receive the Rhodians gladly. So soon as they

had come to land, and were being feasted by the Halicarnassians, her fleet slipped out, entered the big harbour, seized all the Rhodian ships, manned them, decorated them triumphantly, and sailed off to Rhodes in them. The Rhodians admitted their own fleet, only to find that they were now in the power of the people they had intended to subjugate. Artemisia held Rhodes, and placed her statue there as queen.

*Neglected Authors.*

Among the professed historians it is by no means the most important who are best known. The despicable squabbles of the Peloponnesian War are but a hideous view of political suicide, and social degradation; and they cannot compare at all with the importance of the rise of Rome, and the compulsory or voluntary subjection of the world to the Roman system. Yet Thucydides has all the honour which should belong to the more clear-sighted and important narrative of Polybius.

Other writers are known much better by name than by subject. How many have done Roman History without the full contemporary account by Josephus, the most minute and graphic picture of the early first century? How many know well those living pages where Ammianus describes from his own experience the power of the Sassanian empire, or the picture of Julian in the campaign of the Rhine?

Bald and futile as the Augustan lives are if taken as a history of Rome, yet there is always a fascination about the letters, rescripts, and senatorial acclamations embedded in them. We seem to see Rome actually in living order in these documents. The consideration of Valerian granting so much money, clothing, carpets and cattle to Aurelian for his show of the games, because he was poor. The triumphal bulletin of Claudius, that he had defeated 320,000 Goths, and destroyed 2000 sail, "the rivers are covered with shields, and all the shores with swords and javelins; the fields are not to be seen for the bodies of the dead. No road is clear of them. We have taken so many women captives that our own victorious army may, every man of them, have to himself two or three a piece." The sayings of Diocletian, "There is nothing more difficult than to reign well"; "The good, the cautious, the best prince there is, is bought and sold." Or when the old Druidess reproached him, "Diocletian, you are too covetous, you are too good a manager," we then see the future author of the Edict of Prices before us. Such are the touches in those lives, which acquire value by their very formlessness.

There is yet another side of the classical writers that is too little considered; in modern view it might well stand first in their values. This is the picture of social life, the habits of the people, the relation of classes, the attitude to ethics and

morals. In Herodotus or Diodorus these may be fairly well known, but Athenæus is a mine that is left to specialists. We have there the full-length picture of the Celtic banquets; the story of Socrates walking up and down in the dusk to get an appetite for supper; Philip of Macedon taking his gold goblet to bed with him every night, for fear it should be stolen; the Thracian game of being hung, and cutting oneself down by a sickle while dangling; the enormous description of the festal procession of Philadelphus, which reads like all the treasure of the ancient world rolled together; the remark that Roman ladies could not take to secret drinking, as they had to kiss all their relatives and connections whenever they met; the Thracian woman tattooed with patterns all over; the Sybarite who went to stay at Sparta, and said he was not surprised at their valour, as the greatest coward would be glad to die rather than live as they did; the picture of gouty Philadelphus looking through his window blinds at some Egyptians sprawling on the sand at dinner, and saying, "Oh, wretched man that I am, that I am not one of those men!" The pages on slavery are some of the most important, if we would understand how the world worked with the majority at the entire disposal of the minority. The pretty figment of Greek liberty meant nothing but the freedom of a city of slave masters to attack their neighbours and sell them all at auction; the only variant

was when they massacred all the men, and only sold up the women and children. The slavery under the Roman was at least tempered by a large amount of emancipation, and freedmen were a class both rich and powerful.

Writers in Greek were by no means all Greeks, any more than writers in Arabic were Arabs. Claudius Ptolemy was probably an Egyptian, Strabo came from between Armenia and the Euxine, Athenæus was half Egyptian, Lucian was a Mesopotamian. Greek was spread as a general language of learning over the world, as Arabic was in mediæval times, and the old civilisations all had to use it if they would reach a general public ; but it was the old life that animated the new trappings.

Of all these Hellenised orientals Lucian stands unique in his humour. Already the fatal blight of rhetoric had withered half of him, that blight which left not a green leaf of literature by the time the barbarian triumphed. Yet in his living pieces we have a spirit only comparable to that of Aristophanes. There is more than banter in him ; the dialogue with Zeus concerning the Fates is a powerful argument ; the discourse on the Syrian Goddess is one of the most valuable accounts of ancient religion. As for Lucius, any reader may be forgiven for flinging up his heels in a canter and braying. Yet in Lucian the dreary pages make the half greater than the whole. Later still, the romances of Heliodorus and Achilles Tatius should

be read as a picture of Syrian life, and of Egypt in the dissolution of the Bucolic wars. The adventures may be overdone, the string of escapes like a parody on Victor Hugo and Charles Reade ; but the life is the ancient world at first hand, full of reality.

The great letter-writers give another point of view. Cicero and Pliny are mines well worked and known ; but Sidonius has lately been given to English readers by Mr. Dalton, and shows how the great Gallo-Roman in the easy pride of his wide estates felt toward the new-come Barbarian, who was noisy and intrusive, offensive to both ears and nose. Contrast the sudden collapse a century later down to the abject superstition, folly and filth of Gregory of Tours, and see what the destruction of Rome meant for the world. Cassiodorus has been rendered by Dr. Hodgkin, and gives a constrained and arid view of the Roman serving the Barbarian. The letters of Synesius are perhaps the lowest depth of all ; the canker of wordiness has eaten the whole sap out of the man, and the result reads like munching sawdust. It is a terrible thought that such was the mental aridity of one of the most active and versatile men in that last age of the Empire. How had the fine gold turned to dross !

### *Papyri.*

Another large field of documents has been opened to us in the last twenty years from the

papyri of Egypt. Though mostly short or fragmentary, they deal with sections of life untouched by the usual literature. The whole business of daily affairs, the private letters, the country life, official correspondence and reports of the local senates, fill out the more scholastic outlines to living proportions. On the side of Christian documents these discoveries have been well summarised in a recent book by Dr. Cobern. In that we see how much more the mystical than the sacerdotal type belonged to early Christianity. The identity of the New Testament language with the usual Hellenistic speech as it now appears in these daily writings, shows how the apostles were really dealing with the world of the time, and not with literary survivals.

If we refer to only a single volume of the published papyri—the last—we see the great number of matters of social interest (G.P.). The tax-gatherer was required to make good unpaid taxes out of his own property ; hence the office became compulsory. But rather than be plagued and then ruined, a man would sooner give up his property and decline the office. So the system came to electing a series of men, who each declined office but gave up their property, until enough confiscation had been accumulated for some one to face the business, and do the collecting with the confiscations in reserve. Public safety had failed so greatly, that robbers had extensive support ; and



only by suppressing their sympathisers, could brigandage be attacked. Every possible business was taxed, all kinds of land and cattle, and trades, such as cloth-weaving; while a network of local octroi dues hindered the diffusion of produce. This, with the universal avoidance of the burden of public office, if possible, left the country in a miserable condition. There was one bright streak of older Egyptian life; any capable woman might do business, and manage her own property; the daughter of a clerk of the market was guardian for her own children, and dealt with landed property freely. A curious result was that as a husband was responsible for his wife's debts, if she failed he had legally to divorce her before her bankruptcy, then lend her money on security of her future earnings to make composition with creditors, allow alimony, and remarry her when the storm was over. Such is a sample of Egypt still living, under the tyranny of Roman taxation. The statistics of prices and taxes in papyri have been collected in a German work (R.L.); but there is an immense amount to be done in arranging all the social information and drawing conclusions.

Akin to the written documents is the great mass of stone inscriptions in the Greek *Corpus*, and the Latin. These have been brought into the general view where they deal with well-known historical persons and events. We still need a systematic treatment of the whole, as material for

a picture of ancient life, a work which would be far more fruitful and instructive than the mint, anise, and cummin of most classical scholarship at present. Perhaps the only way to reap a full result would be a systematic attack by a band of scholars, each taking one department, such as prices, taxes, legal status, official position, genealogy, foreign relations, etc., and dealing with inscriptions and papyri all together.

### *Coins.*

A fund of varied information lies in coinage, which has been tardily and partly recognised. An all-round knowledge of the coinage is one of the most essential materials for any one who studies a period. It gives a consecutive framework of history, and a sense of the relative civilisation and spirit of an age, more completely than from any other point of view. Coins put your finger on the living pulse of the organism; you can feel the little fluctuations of ability and outlook in every decade, you sense the awful dissolution of the Empire already beneath its fair exterior under Antoninus, you feel the deadly chill patent under Aurelius, and know that there is no hope, although the dissolution takes a century more to penetrate all society, and to produce the miserable *minimi* of Tetricus. A crude militarism supervenes, figured in the stiff, harsh, busts of Aurelian or Diocletian, which have lost even the little life that remained,

and then the swamp into barbarism goes on till the depth of the VIIth century is reached. The unbroken series of coins makes all this a matter of instinctive perception, without trusting to the fragments of a literature riddled with lacunæ. Look back earlier to Sicily, and see the fascinating, swarthy, passionate faces that tell the tale of mixed blood of Carthaginian and Greek, plainer than any history ; or, again, at the dignified and frigid beauty of the northerners in Macedonia ; see the pictorial spirit of the old Cretan art surviving. In the heavy business-like faces of the Attalids is plainly writ the nature of that astute and wealthy dynasty ; the degradation of the Seleucidæ passes before us, from the keen founder down to the curled inanities who were swamped by Rome (W.G.). The outskirts of the ancient world are presented to us in coinage far more than in literature. The triumph of the Greek in starting Bactrian civilisation, which so largely reacted on India, would be unknown to us but for the long series of coins, purely Greek at first, and gradually assimilating the Indian language, designs, and gods, until when the Scythian broke in, he also adopted Greek. The long-coated tarbushed Tatar, who straddles on the thick copper coins, is proud to call himself by Greek titles and epithets. In another outpost, the Greek penetration of the Crimea is shown in the series of Bosphorian coins of the long-haired Sarmatian kings, whose work

steadily degrades side by side with that of Rome, down to its disappearance under Constantine.

*Weights and Measures.*

Another help that coinage gives is by the evidence of the diffusion of trade standards of weight. The course of trade naturally imposed the weights of the trader, the money used was required to agree with that prevalent in the main lines of demand; a colony naturally took with it the weights of its parent city, though often accommodated to its surroundings. Thus Canada uses English weights, but in currency it has yielded to the force of Spanish trade which established the dollar in Mexico.

The study of ancient weights is thus a helpful branch of history. Lately the long series of thousands of weights obtained in Egypt has put a new face on the subject. All the writers on ancient weights hitherto have been obsessed by the belief that by some course the various standards were all derived from complications of some original, Babylonian, Egyptian, or what not. It was like the belief in one primæval language. Now on disentangling the history of weights, much further back, to the beginning of Egyptian history, it is found that there were many more standards in use. Fourteen different units are visible, quite separate and apart, to begin with; these gradually became inexact by long copying, and those most

nearly alike fused together, so that by the time the Greek world handled the matter there were eight standards. This is parallel to the simplification which takes place in language ; hundreds of different speeches, more or less resembling each other, gradually became forced into uniformity, and may eventually result in one uniform language, with many dialects gradually being exterminated, as in our country at present.

The decay of coinage is another branch of history, which serves as an index to the moral stability of the times. Where a standard is well maintained it is pretty evident that there is foresight and prudence in the government. The aureus was worth £1 under Augustus ; down to 18s. 6d. under the Antonines, it slipped to 17s. by Caracalla, and down to 14s. or 12s. under Gordian III. Though very irregular in the IIIrd century, it became fixed at 12s. by Diocletian, and onward through the early Byzantine age. Then, copied as the solidus, it still ran down through the Middle Ages, till the *sou* has ended at  $\frac{1}{2}d.$ , though even that went down to nothing when transformed in *assignats*. The ruble, which was 4s. 6d. a century ago, is now a penny or less. The milrei, which was 5s. 7d., is now 14d. in Brazil. The piastre or pilastro, or Spanish dollar, which circulated in Egypt at 4s., is now worth  $2\frac{1}{2}d.$  The English currency has perhaps run down less than any other. The Saxon penny was 22 grains, and the

Scilling 4 or 5 pence, 88 or 110 grains ; our shilling remains at 83 grains, while the penny has gone down to rather less than half its value in a thousand years.

There is a wide subject not yet explored in the relation of land measure to what a yoke of oxen can daily plow, and of corn measure to the seed required for a yoke of land, hence of liquid measure and weight. This is one line of derivation, while quite a different line is the value of precious metals equal to an ox or sheep, and another line is the connection of cubic measure of water with weights. Each of these kinds of connection has led to derivations ; but we require a vast amount of precise facts, well dated, before the complex relations of all these methods can be disentangled. Meanwhile it is highly suggestive that there should be a standard weight, different to all those of the Mediterranean, found alike within  $\frac{1}{2}$  per cent. in India, China, and Etruria, and probably a derivative of the Babylonian system through Central Asia. Such a fact may require centuries before it is really elucidated.

### *Sources of our Daily Life.*

It is well to remember how our main lines of civilisation have been built up ; how we owe all the main features of our commercial system to the Sumerian of five thousand years ago ; the Syrian, Phœnician, Carthaginian, and Roman have been

the successive channels of those ideas. To Persia we owe the great principle of government, a firm centralised control with wide divergence of local self-management. To Palestine we owe the sense of moral obligation and religious ideals. To Etruria we owe—through Rome—the system of subduing nature by immense engineering works. To North Syria is due the systematising of a compact alphabet. China showed the way to printing, centuries before Europe. We are the heirs of all these fertile brains, of all the tentative shaping of these new ideas. This heritage we take for granted, without one thought of gratitude. The old world is still strangely within our reach. You may see any year in Verona, dressed in full canonicals, the body of St. Zeno who died under Theodosius; in Cyprus you may still hold the hand of Spyridion who signed the creed at Nicæa; in Egypt you may look on the very faces and see what was the living flesh, of the mighty conquerors of Syria, before the time of Moses.

*Later Writers overlooked.*

Mediaeval history is at present perhaps more read than that of other ages, and with some reason, as most closely touching our own time. Yet even in that there are many pleasant byways which are too often neglected. The earlier records have been ignored, and much in the British, Welsh, Irish and Scottish chronicles needs to be drawn to

the light, and linked in with the traditions and halting record of the Saxon settlers, to which moderns have pinned all their faith. The co-ordination of the Scandinavian and Irish sources with the English record has been mainly carried out by Jeudwine in *The First Twelve Centuries of British Story*. For earlier times we need a careful analysis of the Celtic chronicles, to establish the material which has been drawn by mediæval writers from MS. sources that have now perished. The Celt, both British and Irish, was a literary person, with a keen interest in his own history.

Europe was not only a fighting ground for decadent Romans and barbarians of the north. It was also the seat of one of the great civilisations of the world, fostered by the Arab dominion of Spain (C.A.). To ignore that is to pass over the brightest page in the Middle Ages. Abd er Rahman of Cordova, in A.D. 826, had his family well educated, and "delighted himself by listening to their exercises, and by examining the literary compositions of his sons." He built a school for maintaining 300 orphan boys; and "it was his pleasure to converse with the wisest and most learned men of his court." "He was careful to acquire the most valuable works on the arts and sciences. A complete collection of books of poetry and eloquence, with every species of memorial and document in history and geography, was made by this prince: for this he spared no pains and grudged



no cost. He caused treasures of that kind to be sought and secured for him in all parts of the world, and had messengers sent for that special purpose into all the principal cities of Africa, Egypt, Syria and Persia. With these he entirely filled the Merwan palace, insomuch that there was in that edifice no other thing than books; nor was there ever a Muslim prince who added book to book with a more earnest mind than king Al Hakem ben Abderahman." There are also several notices of the learned women of that age, remarkable for knowledge and ability in composition and calligraphy. "A very precious collection of books on the Arts and Sciences was made by Cadfa daughter of G'afar ben Neseyr." In 987 we read of scholars being supplied by allowances "from the funds destined to the service of the learned." The gardens were not only sumptuous, with roses trained to continual bloom, but Yusuf of Ceuta had a garden with "every kind of plant then known, and many which had never then been produced by any but himself," in fact he was an expert grower of varieties. Under 1147 we read of elaborate mechanical contrivances of cabinets which moved silently and smoothly, and doors of the *mimbar* which opened and closed by the mere ascent of the preacher. In that time there was a great college of 3000 boys, under instruction, and also trained in athletics, all maintained at royal expense. Beside this there were numerous schools

and colleges founded. When shall we have this great civilisation displayed as the history of the Dark Ages, instead of nothing but incursions of savage Danes upon degraded Saxons ?

Yet in the north there was one bright spirit, worthy of better company. Gerald de Barri, with the vigour of his Norman fathers and the spirit of his Welsh mothers, describes the life of Ireland and Wales from both sides, that of the conquerors and of the conquered. He advises how Wales may be overcome, and also how it may resist. He enters at length on all the characteristics of the Welsh, lovingly but faithfully ; their music, poetry, singing, wit and hospitality ; and also their fickleness, deceit, plundering, and cowardice. The Norman and the Celt struggle in his soul, and each will have its say. There is no more entertaining book for a thousand years before him.

There are many byways also that deserve to be highways, even in one of the best worked periods, the Commonwealth. Take up that *History of the Parliament*, by May who was the Secretary for the Parliament, yet marvellously impartial, even to printing a crowned Tudor rose by copperplate on his title-page. In this we have the best-informed contemporary history on the side of Parliament. “ My residence hath bin during these Wars, in the quarters, and under the protection of Parliament. . . . I averre, that if in this discourse more particulars are set down, concerning the

actions of these men who defended the Parliament, than of them that warred against it, it was because my conversation gave me more light on that side ; to whom, as I have indeavoured to give no more than what is due, so I have cast no blemishes on the other." In this admirable book there is given in full the key documents of the beginning of the Civil War, of which no mention is made in most histories. After Charles set up his standard at Nottingham, he sent proposals to Parliament to appoint on either side an equal number of Commissioners to discuss and compose all their differences, meeting in any place that Parliament might choose. The Parliament reply was to demand the recall of all the Royal Proclamations against them. The king replied that, on a day to be appointed, let both sides withdraw all that they have proclaimed, and he would take down his standard. But the Parliament would withdraw nothing, and only demanded that all concession should be from the King, and that he must come and put himself in their hands. Now this is a crucial point in the rights of the case. The King's offer was at least a fair one, and appears to have been in good faith. It was rejected in an impossibly one-sided manner. So far as the Clerk of the Parliament shows, the whole blame of the final rupture lies on the Parliament. Yet we never have this stated in ordinary histories.

For another point of view turn to Walker's *History of Independency*, and see how affairs looked day by day, when the outcome was as little known as ours is now. See the long list of plunder given to all the leading Parliament men, down to 1648, and the chronicle of incessant illegality. This list was amplified in *The Mystery of the Good Old Cause*, 1660, and there appears the explanation of Cromwell's sudden dismissal of the Rump, so sudden as to surprise his intimate friends. "Oliver Cromwell . . . received great gifts . . . and it is said, for some years, the whole revenue of near all the Benefices in Wales, employing four itinerant teachers to coast about that country for 100*l.* per annum a man; and took occasion to dissolve the Rump of the Long Parliament, just as they were going to call for the Accounts of that Money, which amounted to a vast sum." This explains the spice of Cromwell accusing the Parliament of being "corrupt and unjust persons"; if they would enquire about Cromwell's receipts, he would enquire about theirs. If we would understand the resettlement, look at the *General Bill of Mortality of the Clergy of London, Printed against St. Bartholomew day 1662*, and see how in 123 London parishes, 108 clergy had been sequestered by the Parliament men. The voluntary withdrawal of ministers in 1662 was but a partial return to the previous condition, before the clergy were turned out, and a troop of horse sent down to see that no one in a parish gave

shelter to their families. The woes of the Puritans under Charles II. were light compared to the persecution of the clergy under the Commonwealth. Yet we see very little of the real balance of affairs, and of the enormous influence of the plunder motive, if we do not look into the byways of history. If you would see the meaning of the vital industry of the country, read Garnier's *History of the Peasantry* and *History of the Landed Interest*.

Now we have looked over the hedges of the regular road here and there, picked a flower or two in the fields, taken a glance at the views, and tried to guess how things must appear if we went over to the distant ranges.

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## CHAPTER III

### HABIT, CUSTOM AND LAW

THE essential meaning and working of Society lies in the modes of relation between the members, and the habits, customs, and laws which bind it together. Without obligations there can be no rights ; and the rights—and consequent obligations—are what give the reason for the existence of Society. Such relations therefore preserve the truest picture of the life of a period. Those subjects which most occupy men's thoughts, are the subjects of legislation ; those risks to life which men suffer, are guarded by laws ; the profits and benefits of life are regulated by the laws. If a subject is unimportant in any period, it is ignored by the code. Thus we may regard law as a picture of Society.

We shall not then here consider the theoretical sanction of laws, nor the history of legislation, nor the different bases of Roman, Canon, and Tribal laws, nor any of the other aspects which have been so largely discussed by Maine, Austin, Jenks and others. Our present aim is the view of society, or what we may call the Anthropological value of law.

*Distinction of Habit, Custom and Law.*

From this point of view we cannot separate habit, custom, and law. Habit passes into custom, as purely personal acts begin to be usually expected and provided for by others; and custom passes into law, as the usual expectation of action involves obligations between men. For instance, a century ago men in City business lived in Ely Place or Bloomsbury, and had a habit of walking to their offices; it was a personal habit, and involved no one else. Then omnibuses were run to meet the convenience of such people; a custom of going by conveyance was established, the travellers expected to find a bus, the driver expected to find passengers, it was a custom, but involved no legal obligations. Next, when people lived farther off, and went by train, the season ticket was invented, and the company was under a legal obligation to convey the passenger, and the traveller entered into a legal obligation to prepay the company. Here the same act has in a century passed through all three stages, personal habit, custom expected by others, and law enforcing obligations.

Not only is there the increasing bond from habit to law, as just noted, but also its reversal, of law relaxing into custom, and custom relaxing into habit. The sign of this is the evasion of law being condoned by public opinion. This was the case with the multitude of taxes and duties a



century ago, the greater part of which are now repealed, and the others thereby strengthened and respected. It is the case also with the deceased wife's sister marriage, the evasion of the law was condoned, and the law then repealed. Similarly custom may relax into personal habit. A century ago custom demanded the social duty of much drinking in company ; that has now become only a personal habit, which any one may avoid without offence. While snuffing has passed from a habit into desuetude, smoking has increased from a habit to a custom, which entails social pressure. Thus there is incessant flux between habit, custom, and law.

One of the greatest examples of custom acquiring the force of law is in British politics. The Cabinet is purely a custom, and has no legal position. If the King chose to debate with his ministers, to preside in the House of Lords, and to refuse his assent to any bill which he did not originate, he would be strictly legal. It is only custom which hinders such government ; custom which has largely grown from the habit of abstention by George I. because he could not speak English.

### *Custom the Basis of Law.*

The relation of custom to law is of course suppressed, as a stage outgrown, in highly formalised laws. Happily we have one code which is of the period when custom and formal law were

still reacting on each other. This is the Welsh collection known as the legal triads of Moelmud (W.). In the laws of Howel (W.) there is scarcely a trace of a divergence of opinion as to the law; those laws it is agreed are of 930 A.D., and are highly elaborate. In the laws of Moelmud extreme simplicity prevails, and the stage of tribal custom is prominent; as there is no trace of Christianity, except in an addition of later formula of oath, there is good reason for accepting these as of the pagan age. Parts may be perhaps as old as the traditional date of some centuries B.C. That however is immaterial to the present matter.

In triad 228, "There are three kinds of customs which are to be maintained. 1st, Custom that sets the law aside. 2nd, Custom that excels the law by its justice, . . . but its authority is limited to the place where it obtains confirmation by usage. 3rd, Custom which excels the law by natural events . . . ; it stops a complaint and prosecution . . . and transfers it to the verdict of the . . . elders of the tribe. If established by these it cannot be subsequently opposed; and therefore it is called law, and is recorded and observed by the Court." Here we have the actual process of making custom into law, through its adoption by the elders.

In triad 152, "There are three honourable sources of the law: (1) the customs of the country and tribe from time immemorial; (2) the regu-

lations of the country . . . and the particular tribe ; (3) and justice according to reason, situation and necessity. . . .”

In 156, “There are three things that cannot be abrogated . . . : (1) a law guaranteed by the sovereignty ; (2) a custom in use before the record and tradition of the country and the tribe, which cannot be proved . . . that it militates against justice ; and (3) a mutually confessed contract.”

In 157, “There are three inevitable violations (or rather exceptions) of law : (1) a contract . . . : (2) a just custom in use before the record and tradition of the country and tribe ; (3) and inevitable necessity.”

In 155, “There are three pillars of the law : (1) custom before record and tradition ; (2) the king . . . ; (3) the decision of the country by vote where there has been neither custom nor law.”

In these maxims it is clear that custom is paramount, but is being codified and reduced to uniform law. As Carew says in his History of Cornwall, “The variety of customes which in every place (wel neere) differ one from another, yieldeth them in a manner an unlimited scope, to aveere what they list, and so to close the best lawyer’s mouth with this one speach, *our custome is contrary*” (Gomme, *Primitive Folk Moots*, p. 144). Thus till the XVIth century custom still decided law among the Cornish. As Jenks says,

in early society " Custom is the one sure guide to Law . . . Custom is the earliest known stage of Law ; it is not enacted, nor even declared ; it establishes itself as the result of experience " (Jenks, p. 57).

In modern times Russia is still in the stage of custom. Each commune (*volost*) elects its judges, who are not bound to follow law, but custom, " the peasants submitting to one complex code of legal rules, and the higher classes to another . . . ; the customary law of the Russian peasant is alone the genuine Russian law—the law that is found in our ancient codes " (K. 104).

In England we can still see custom growing into law. The Trades Unions gradually unify customs of the workshop, and then claim that they be legalised and made binding on all.

### *Law changed by Custom.*

Now turn to the converse of this, the relaxing of Law. When a law proves out of harmony with the changing conditions it is at last relaxed, leaving the former condition to remain as a custom of a class or as individual habit, without legal force. This is well seen in the re-statements of law in the Institutes of Justinian. Take for example the stringent law of agnation, only recognising descent in the male line—as we still do for Real Property. Originally only agnates inherited, probably for the same reason as in English law, that land-owning

entailed military duty. Then (in J. Book III. Title iii.) we read that Claudius first allowed a mother to inherit from her sons, and Hadrian allowed a mother of three children to inherit. Not till Justinian could a mother of a single child inherit. Next (J. III. v.) after accounting for the agnates, and those who by laws have been raised to the rank of agnates, the prætor may call on the nearest cognates. The exclusion of a son owing to his legal emancipation from his father's power, was not remedied till Anastasius, who preferred the emancipated son to more distant agnates, and still more so to cognates. Thus the system of paternal power showed decay. Illegitimate children could claim as cognates; because, as having no legal father, they could have no agnates. The limits of inheritance was ten degrees in the agnates (or fourth cousin), and the sixth degree in the cognates (or second cousin). Thus the old law of agnation was steadily breaking down, and the modern relationship of cognation was spreading.

The law of adoption was peculiarly stringent in Rome. It prevented marriage not only in direct descent, but between an adopted daughter and a son. We inherit these same ideas in the adoption of sponsorship in baptism being a bar to marriage. But this rigid view of an adopted being equal to blood relation, became relaxed by allowing a man to marry his father's adopted granddaughter; or allowing the adoption to be

cut off by emancipation, leaving a woman free again to marry a stranger in blood.

By the early law a free woman who married a slave—and remember that slaves were often of better family and education than their owners—lost her property and her freedom (J. III. xii.). The amelioration of slavery weakened this law, and justice abolished it.

The enormous social complications of slavery take a large place in the Institutes, and give a long picture of the decay of law in face of changing custom in thought and action. A boy could bequeath at 14, but could not liberate slaves till 20; but Justinian allowed him to liberate by will at 17. The number that might be manumitted by will was limited; Justinian removed the bar. In former days a master had absolute power of life over his slaves; Antoninus made him liable to the same punishment for killing his own slave as for another man's. Slaves were allowed by Antoninus to prove intolerable cruelty against their master, and claim to be sold to another.

Even after slaves were freed their former master was their heir at law if they left no child. This was relaxed by a Prætor's edict allowing a freedman to bequeath half his property, or the whole if he left it to his children, even adoptive. The patron recovered some ground when the freedman was very wealthy and had only one or two children. Justinian amended the law so that

property under £50, or bequeathed to children, was free of the patron ; if the freedman is childless but makes a will, the patron has a third ; if without a will, the patron has the whole (J. III. vii.).

*Law a Picture of Society.*

It seems needful to dwell on this growth of habit into custom, and of custom into law, because it proves that the early codes of law, and later laws also, were not arbitrary inventions of legislators, but are to be taken as detailed pictures of the daily life of the people. From them we see what were the common occupations and interests, how men actually lived, and how all the links of society worked. There is no source equal to this, not even Cicero or Pliny, for making us realise the actual conduct of daily life, its desires and limitations.

*Pagan British Law the Basis of Modern Life.*

Perhaps the clearest way to realise an older civilisation is to compare it with the present conditions in the same country. For this the Welsh laws of Moelmud (W.) are most valuable, as they give a longer view than the Teutonic codes, and they are concerned with peaceful life rather than the weary intricacies of blood-fines. To compare them with our present life serves to show how much has altered in the last two thousand

years, and how much of the older order has been restored.

Private property which could not be taken from any man was wife, children, clothes, arms, and implements of the arts (triad 53); none of these might be shared with other men, nor could they be distrained even for legal fines. This is fully the modern law. Full political rights were held by the universal suffrage of all free men (62), and all free women on their marriage (65). We have very nearly come back to that position. The scope of voting was unlimited; it determined war and peace, the abrogating of law, the dethroning the king, and the order to teach new sciences, or the education department (59), thus covering the fullest claims of parliament at present. Every Cymry had equal freedom in all the tribes, but he could only vote in his own; showing that electoral registration was a condition as now (64). The basis of social order is stated as equal privileges, a common form of government, and sciences of wisdom (41), which is the later doctrine of the equality of all in the eye of the law. Every free-born man must be ready to fight, or pay for a soldier (81); thus our present conscription or taxation was the rule. Every one must provide a teacher for his children (81), anticipating the education rate. The wild land was at the disposal of the chief and court, and could not be appropriated without agreement (101), so the heaths



and commons were fully preserved. King's posts were placed as sign posts throughout the country, and the legal notices were posted on them (25); our very word to post a notice shows the survival. The removal of a public sign post was punished with death (100). The public notices were given in populous parts by the town crier (113), who still survives in spite of newspapers. The shipwrecked foreigner had free maintenance from the community (198), and so had a stranger with a barbarous language (199). Further, such were to be provided with advocates if needful (209). Our police-court interpreter is no novelty. Across all the turmoil of the past centuries comes this account of the indispensable matters of society: " (1) Good sense, (2) Justice, (3) Brotherly affection between country and country, between a man and his country, and between man and man; and where these are wanting, it is hardly possible to guard against convulsions in the state occasioned by quarrels and injustice " (38).

Thus we see how many fundamental notions of our present society come down to us from our British ancestors, either by survival or revival. The old order is essentially still our present framework, in spite of the enormous changes of the scale and conditions of society. These changes are evident in other cases. The family arts are said to be agriculture, dairying, and weaving (74), all now specialised as trades. The seller of family

land might always reclaim it, on returning the money (93), for the 8 acres of land was a privilege of every free man. The learned class, either in bardism, metallurgy, or writing, had an additional 8 acres of tribal land (68), and could not be levied for war (221). Further, any inventor of a public benefit had free maintenance from the community (198). Our public benefactors are usually left to starve if they cannot monopolise their inventions. All things in the public land were public property ; game became private property as soon as it was skinned, and ore was private when dug from the public mine. We may yet see the revival of some of these conditions ; but they are none of them so important as the essential rights which we see have survived, or have been revived after being overlaid by the crushing inroads of Saxons, Danes and Normans. The whole of the Welsh code is entirely that of tribal law, without any reference to town life.

### *The Code of Hammurabi.*

We will turn now to the oldest code known, that of Hammurabi (H.), absolutely dated to within twenty years of 2100 B.C. The prominent feature of this is the strongly commercial nature ; there is scarcely one of its laws that could be paralleled in the Welsh code. The two great branches of it are those of business life and family life, and much smaller sections deal with agriculture and officials:

In the business laws the largest class are those on hiring, more than a third of this branch. Thus we see that not only were business affairs the main work of life, but that they related to capital and rent or interest, and that the community was specialised, by the division of labour, into those who did head work and those who did hand work. Every useful thing was hired so generally that the tariff was fixed by law : oxen, milch cows, asses, oxdrivers, harvesters, shepherds, day-labourers, artisans, all had fixed wages, the " living wage " which is sought for now, which drives out of work every one who is not worth that amount, and which prevents any ability getting its full value. This fixing of a tariff has a suspicious resemblance to the edict of Diocletian ; it suggests that the same causes may have been at work then, and a like attempt to patch up economic difficulties by arbitrary means. We must not confound that false system with our war-time fixed prices, which only concern a period of stress, when owing to war the free economic conditions cannot take effect. We shall not be foolish enough to believe that State tariffs of prices can really aid production, for only greater production can lower prices.

Owing to this legislation on prices we fortunately have a valuable guide to the state of society. An ordinary day's wages was 12 pounds' weight of corn, and if we translate that into money at prices of the last decade, we get the nearest purchasing

equivalents. Thus the pay for a harvester or shepherd was 8*d.* a day, an ox-driver or boatman 6*d.* Such is closely the general wage in the East, and even in Greece, in recent times. For a plough ox by the day 2*s.* was fixed, but only a fifth of that rate by the year ; for an ass 1*s.* a day, much as in Egypt recently ; for a cart 4*s.* a day, a river ship 3*s.* 6*d.* a day.

Silver was, in terms of corn, about as valuable as gold is now ; and the town wages were rated in silver. The compensation for accidental death of a free man or woman was equal to £60 now, for a freedman or slave £40. Successful operations were paid for at from £20 to £4 according to the rank of the patient ; or bone setting and minor matters at £10 to £4. These are prices as regulated by corn-value.

In commercial law the greatest feature was the pedlar who sold on commission ; the merchant entrusted goods to the middle-man who travelled ; the pedlar had to keep strict accounts, and to settle up with the merchant ; if he neglected to get a sealed receipt for any money he paid in, he could not reckon it in settling. This shows that accounts ran on from one journey to another. Such were the means of distribution, much like the pedlars who now travel their regular weekly round of village markets in Egypt. Any loans of money were reckoned in daily interest, and all loans must be settled, if not by the borrower then

by his superior. If the agent cheated he had to pay threefold ; if the merchant cheated the fine was sixfold.

To guard against theft, nothing might be bought from a son or a servant of a man, without witnesses or written vouchers. If valuable property was stolen the penalty was death ; if cattle, the fine was from 10 to 30 fold, according to rank. The buyer of any property must always be able to produce the man who sold to him, in case it was said to be stolen ; if he could not do so, he was reckoned as the thief. Six months were allowed to find the seller, showing how largely dealers travelled about, and might not be readily found. If a robber was not caught, the city and governor of the place were responsible to make good the loss. But if a man was caught thieving at a house on fire, he was to be at once thrown into the fire.

Builders were strictly responsible for defective work, and had to give an equivalent in life or in money for all damage due to bad work. The ship-builder had to make good any defects in a ship after the test of a first voyage. Boatmen had to make good all kinds of loss due to their carelessness.

Agricultural land seems to have been usually rented by a cultivator. As the rent was a share of the produce, he was bound to cultivate thoroughly. Land reclaimed was three years rent free ; or garden ground four years, after which the produce was halved, and subsequently two-thirds

belonged to the landlord. If land was sub-let, the first tenant was still responsible. In case of bad harvests the farmer could not be charged interest on his loans, but the landlord was held responsible to see that tenants' loans were paid for out of produce. The damage done by bursting canals was very serious, and every tenant was liable for his own section, and might be sold up into slavery if his carelessness did much damage.

The fines for any damage to land were rated per acre. For comparison we may say that the wheat crop in England in 1780 was reckoned at  $2\frac{1}{2}$  quarters per acre. The Babylonian charge for labour of cultivating was 1 quarter per acre; for trespass of sheep on crops 2 quarters; for deliberate folding of sheep on crops, passing them in by the gate, 6 quarters per acre; and damage by flooding 10 quarters, as it probably damaged the field for more than one season. Thus there was great care of property, and heavy fines on any one who by ill will or carelessness did damage. We might do well to copy this, instead of letting off entirely free those who cause immense destruction by carelessness.

The other main branch of law was that of the family. The normal type was monogamy, with a wife bringing a dower which remained attached to her, and which she could divide among children at her choice. No child could be disinherited by his father without a judge's assent. Neither

husband nor wife could be arrested for the debts of the other, but only for their own or joint debts. The formal proof of marriage was a deed by the husband, probably settling the property rights. There does not seem to have been a religious service, any more than in Egypt. The exceptional cases were that a childless or very wasteful wife might be divorced with her dower, or if without dower then with £120 ; or else she must tolerate a second wife over her. An invalid wife could not be divorced, but might divorce herself. In case of the captivity of a man, his wife might marry again if left without support, but could be reclaimed by her first husband on his return. This was perhaps the best course for morality. The most peculiar system was that of votaries to a god, who might nominally marry, while providing a slave girl to continue the family. In case of a widow with children remarrying, a judge kept record of the property, and required it to be held strictly for the family.

A woman's dowry was tied up for her children, and if she had none it reverted to her father's family. *Inter vivos* gifts did not rank in a division of property. The question of a family by a slave-girl was carefully fixed. If they had been called sons they ranked with all the others, but the wife's children took first choice. If they had not been called sons, they and their mother were free, but could not claim property. Wills or settlements defining the division of property were usual ; but

if a man died without settlement, his widow ranked as a son in division. Altogether the law was stricter than modern Muslim law, though on the same general lines.

Adoption was apparently common. It is a custom which strangely appears in such diverse countries as Sumer, Italy, and Celtica, yet not in Egypt or Germania, so that there seems no uniform cause for it. An adopted son could not be reclaimed, unless he were denied equality with the other children, or were not properly taught a trade. The adopter might turn him off if he were offensive, but he must in any case have a third of a son's share.

The remaining personal laws deal with assault. In case of injury it was *lex talionis* between equals. The eye or bone of a freedman was reckoned at £120, and of a slave £60 ; the teeth of a freedman at £40. A blow on the head of a superior was punished with 60 lashes, if on a free man, £120, or £20 on a freedman. Unintentional homicide was let off more easily, at £60 for a free man, or £40 below.

Such are the principal features of this precisely worded code. They show great care for personal safety and property, with heavy penalties—often death—for wilful wrong or carelessness. Society was strictly bound together, and the way of the prudent was probably as smooth and safe as could be provided, but this was accomplished by penalising carelessness heavily. It gives a picture of a fully



developed commercial people, living a prosperous life, the only evils to dread being the lions who might attack the flocks. Such was life in 2000 B.C., and probably much the same for long before that.

Having now contrasted two of the most opposite codes, and seen the forms of society which they show, we will look at the different ways in which particular subjects have been dealt with, as pointing to different social conditions.

*Property a Late Generalisation.*

The idea of property is by no means a simple abstraction ; it is really so complex in its various natures that it is a generalisation which we cannot expect in early society. There are various kinds of property so different that to the concrete mind there is nothing in common between them. There is the share of tribal land, which is only held on tenure, and only used as a means of labour. There is the weapon won from the enemy, or the plunder of settlements, which is the reward of bravery. There is the pat of butter made by the wife, which would be consumed. There is the carved drinking-horn, which would be the work of personal art kept as an heirloom. None of these different kinds of things would be thought of as being alike in origin, in nature of possession, or in destination. To generalise on all these as property is by no means obvious. The land was a trust, the agricultural implements and cattle were often communal.

the food was consumed, the personal or carved decoration was an individual production for a man and his heirs. Our label of calling all these property without further thought, is like our calling very different acts all by one label, as crimes. Acts against a man's life, or against a woman's person, or furtive theft, or arson, are all so different in effect and circumstance that they do not fall at all readily into a single generalisation of crime. We must beware of attributing these unified ideas, which are part of our mental machinery, to any early stages of society or thought.

It is not to be expected then that different kinds of property would be regarded alike. The different aspects of them belong to different stages of society, and mark those stages. The Hebrew stage that he who tarried by the camp was to share the booty as he who fought the battle, is an advanced position, past the stages of personal seizure, of group looting, and of army sharing. The main test of how different kinds of property are regarded, is to see how they may be disposed of, especially by inheritance or by will.

It was a part of Maine's position that the right to dispose by will was peculiarly Roman, and was only found by descent from Roman law (M. 174). No doubt we can trace its history minutely in Rome, and it was spread by Roman example. But since Maine's work it has been the fortune of the spade for me, to unearth two earlier systems of wills.

The testaments of the soldier colonists of Ptolemy Philadelphus in Egypt are in pure Greek, of Greek families, in a Greek settlement, and as they had only been a generation in Egypt there is no reason to suspect Egyptian influence. In these wills the men leave personal property, but never real property ; their land holdings are never named, and obviously such were reckoned as state fiefs which could not be disposed of personally. By making a will it is clear that inheritance was not legally fixed, but the person had power of distribution among the family, if not of disposal outside. The king and queen are named as executors, so that these were fully official wills to be administered by the government.

The other source of wills is far older, of the XIIth dynasty. In one will a man states that he leaves all his property in the garden and in the town to his brother, and commends all his friends to his brother ; a copy of this was deposited as a document in the hall of the second reporter of the king. Thus it must be a will, as all the property is given away, and the friends commended, evidently in view of death. It was also officially registered. Added to this is a subsequent settlement made by the brother, settling this property and also three slaves on his wife, and also giving her the right of distribution among their children ; this seems again to be a will in view of death. A third entry

on these wills names a friend as guardian of the children, to the exclusion of the son. It concludes with three witnesses. Here then is a full will registered, a will with a trust for the family, and a guardianship duly witnessed, all on a single papyrus, of before 3000 B.C. Thus all these rights of testators were fully developed thousands of years before Roman law (*Kahun*, p. 45).

*Wills belong to a Commercial Society.*

It does not appear that wills were contemplated in the code of Hammurabi; the only allusion, in clxxii, being probably to a marriage settlement. The so-called will of Sennacherib (*Records of the Past*, i. 136) may be only a devolution in old age, and is not certainly a bequest.

Where property consisted mainly of land, and cattle belonging to it, and personal chattels were few and belonged mainly to women, there was practically nothing to bequeath, and there was no object in establishing the system of wills. Hence in the Teutonic codes, the Welsh codes, or the Indian, everything goes by legal inheritance, and there is no trace of a will. The presence of a will system is proof of there being a valuable amount of chattels, or the free disposal of land; it does not belong to a tribal society of cultivators.

The treatment of personal property as being apart from land is familiar from two causes. As in India, it may be due to the inalienable nature of

family property, which must pass to the sons, while " what is gained by valour, and the property of a wife, and what is acquired by science " were not legally divided, and therefore at the entire disposal of the owner (N. xiii. 6, 11). On the other hand, the separate treatment of land may be due to its being only a trust or loan, which reverts to the tribe at some future date, or which reverts to the king if feudal service is not performed. The tribal system is of course primitive, and the feudal system is at least as old as Hammurabi (H. xxx.).

### *Three Systems of Communal Land.*

The tribal or communal use of land is of various modes. There is the joint cultivation of the Slavonic system. This goes with the House Community, in which every member is bound to work for the community, and even to remit earnings if absent (K. 58). This family union has the advantage that it is every one's interest to promote work, and to favour the improvement of the land. On the other hand, it is a stagnant condition, as no serious changes can be made without general assent, and no personal ability gains any advantage. The next stage is the allotment of land individually, as in the English village community, or parts of Egypt at present. In order to equalise rights, this allotment has to be made by chance, and so shift the tenancies over the ground. In England

this shifting was annual (G. 266), and hence it was not worth while to do anything to improve the land, and the temptation was to exhaust it. In Egypt the allotting is for a term of a few years, which is not so deleterious. But the disadvantage of one man having his holdings scattered in two or three distant parts of the village lands is a serious waste of labour. Another mode in which a passion for equality is highly detrimental, is in the French system of narrow strips of land running up and down hill. In order to avoid the shift of the land downward by contour ploughing, the great labour of moving horses, plough, and man, up and down fifty or a hundred feet at every furrow is there encountered. It is far sounder to risk benefiting your neighbour, than to take triple labour in your own work.

The third system of tribal land is that of the Welsh, which avoids the evils of the community and the allotment systems. In that, the family received the land for a term of four generations (T. 45); there was thus the fullest encouragement to improve, and no hindrance to personal effort. The purpose of not allowing it to be entirely a permanent holding, may have been to prevent accumulations of land in one ownership. No great estates would arise, and the ideal of a yeoman proprietorship of 8 acres was being continually kept alive. There is no trace in the Welsh code of Moelmud of the hiring of land or of animals;

but letting land is mentioned in the code of Howel. There were no tenancies and no divided rights at first. The term of four generations seems long to us, but marriage was at the ages of 16 and 14, so probably the total length was about 100 years, and the term was in order to cover the extreme lifetime of the receiver. All land that was returned went into the chief's hands, as trustee of the tribe, and out of it he had to give the grants of 8 acres to each child as it grew up. For a stationary community, or one which did not fill up the country, the system was a very practical one.

It is seen thus how the different modes of holding reflect on the Social system. The Slavonic House Community implies a stagnant condition, with much family feeling, and an easy course of life, not the best for morals. The English yearly allotting pitted the individual against the rest of the village, to make all he could without regard to others, and is the worst for conscientious work. The long family lease means a stationary people, with full scope for improvement, but no land-grabbing. It would at once undermine the strongest passion of the French peasant. It goes with a very permanent society, without any extremes of life, and with a strong family instinct.

The more modern type of land holding, which began with yeomanry, and is unlimited in its extent of ownership, has the advantage that (so long as the land is not let to tenants) it encourages

the most capable men to do their best, with as much land as it can pay them to manage. The movement in recent years of selling up large estates to the tenants is the best for production, if worked with co-operation, and land banks to give stability. To enter on the innumerable vexed questions of the land at present is outside of this work ; but a good foundation for seeing the sense of the subject is Garnier's *History of the Landed Interest*, written by a man who thoroughly knows all sides and loves the history of agriculture. We have now seen how essentially the tenure of land differs from that of other objects in most legal systems ; the next question is who is to hold it.

*Physical Reasons for Modes of Inheritance.*

The different descent of land in various systems is closely bound up with the social organisation. The social type of the family will be a large factor in the descent of the property. Where marriage is late in life owing to lack of tribal provision, and life is shortened by hardship, the family will often be too young at the father's death to manage a farm, then the eldest son must take charge of all, and this results in primogeniture. Where the sons are all grown up there will be a tendency for each one to claim a share, as in the Kentish gavelkind. Where conditions are easy, and the country is not full, there will be early marriage and long life ; the family will disperse long before the father's



death, and only the youngest son will remain to help on the farm, and so will naturally inherit it as in Borough English or Junior Right. This appears in the laws of Howel along with primogeniture (P. 184). Such is the physical basis of the types of descent, to which various other factors are superadded.

One main reason for primogeniture is the duty of the eldest son to act as family priest in ancestor worship. Such was the case in Egypt, in India, and in China. In Egypt he was called the *amut f* or "support of his mother"; he wore the priestly panther's skin and made the offerings. In India the eldest had a larger share, and "offered the funeral cake" (N. xiv). In all countries where a feudal system prevailed, of land held on the tenure of military service, the succession of the eldest son was of course imperative. A fief could not be sold, nor seized by creditors, nor bequeathed (Jenks, 237).

The conflict of patriarchal and matriarchal family life is also shown in legal inheritance. In India the higher castes and types of marriage gave over a childless wife's dower on her death to the widower; those of the lower types gave it back to the wife's family (N. xiii. 9), indicating that matriarchy was aboriginal. In Egypt all property was vested in the female line, and a man only had the life interest in it. Bought property however could be dealt with freely, and bequeathed,

as in the will quoted before. Public office usually passed from father to son in Egypt, as in India (M. 207).

*Diverse Grades of Marriage.*

We naturally come now to the questions of marriage law, which are fundamentally part of the social life of a people. It is so usual to consider only one type of marriage in Western Europe that difficulty is felt in realising how varied marriage has been in most countries. Christianity has greatly standardised it, but has not extinguished the varieties. In Rome there were four types of marriage, the religious, civil, customary, and loan marriage as it may be called, where a woman remained in her family status, and did not pass into her husband's full power (M. 136). In India there were eight types of marriage, a diversity doubtless due to the mixture of races and castes (N. xii. 41-44). The four higher or legitimate types were when a girl was given by her father, (1) with ornaments, (2) without presents, (3) with a gift from the groom, (4) passed through the hands of the officiating priest. An approved marriage was (5) by mutual consent. Three types were considered illegitimate: (6) with payment to parents by the groom, (7) seizure by force, (8) seizure in sleep or intoxication. In England we have eleven such types of union. (1) By royal assent in the royal family, as in all families in some African

communities ; (2) usual religious marriage ; (3) usual civil marriage ; (4) marriage of divorced persons, only civil ; (5) within prohibited degrees, but tolerated by custom, as deceased wife's sister ; (6) not tolerated by custom, as uncle and niece ; (7) quasi-permanent connection without ceremony ; (8) temporary licence ; (9) marriage under age ; (10) bigamy ; (11) violence. Five of these types are legal, and only the last three are illegal. Every one of the types has a different legal complexion. In these we have the gradation from the highest legality down to the lowest habit. The idea of a fixed marriage is an innovation in the Slavonic races. A thousand years ago the Bohemians had no definite marriage ; and four centuries ago the Russian habit was for the men and women to meet promiscuously at three festivals in the year (K. 10, 11). The moral evils which we seek to subdue now, are the unreclaimed natural wastes of tens of thousands of years past which Christianity has not yet succeeded during the last few centuries in reducing under regulated cultivation of habit and custom.

#### *Variations in Exogamy.*

There has been a remarkable variation in exogamy. The Indian code is very strict, prohibiting marriage to the 7th degree on the father's, or the 5th degree on the mother's, side (N. xii. 7). The Roman law under Justinian was not more

strict than our own ; the only prohibited degrees were the direct line, brother and sister, step-children, and children-in-law. The Roman Church however imposed much the same as the Indian restrictions. Hammurabi's code only prohibits the direct line and the step-mother marriage (H. cliv. viii.). In the Muslim East at present, marriage of first cousins is looked on as the normal duty. In Athens children of the same mother might marry, though not of the same father. In ancient Egypt there was no bar, except to mother and son. These extreme variations, which have no reasonable ground, are at present a social puzzle. Why such differences should prevail among highly civilised peoples is not at all explained. All we can see is that great variations of social customs must accompany such different systems, but there seems to be no general cause for the differences.

### *The Family Bond.*

The family bond is also very diverse. In some peoples it is felt keenly ; the most distant relation will be recognised to have a claim in distress ; and the very word "clannish" shows where such feelings prevail. The sense of the family being a united line of descent, each generation being the incarnation of the family spirit, and each being trustees for the health and wealth of the future generations, is the fullest form of such family life. This belongs specially to the Celtic peoples—the

family council in France, the clan in Scotland, the coshering of poor relations in Ireland. Though not a written law, it is a custom of thought stronger than law, for a man would cheat another in order to help his cousin.

On the other hand there may be appalling indifference, as in the story of the nieces of St. Martin, whom their father sent over from France to Scotland to be sold as slaves (C. 183); or the modern Boer with his half-breed family worked as slaves. These differences of custom stamp the whole nature of a civilisation, and affect the acts and feelings every day.

### *Origin of Slavery.*

Next to the great subjects of property and marriage, the institution which most profoundly affected society was slavery. In this age when civilised nations have abolished it, and we only know of it in the savage warfare of the Central Powers, we are apt to forget the pervading influence that it was in every phase of civil life. In Athens the population is reported as being 21,000 free citizens, 10,000 suburban, and 400,000 slaves (A. vi. 103). Thus there were more than a dozen slaves to every freeman. It was the passion of life in every great city to attack its neighbour treacherously and enslave the population, and the greater part of the Greek people was reduced to slavery. They in turn were sold by the hundred

thousand in the Roman slave markets. After every triumph the conquered population was sold up, and bought by speculators for a few shillings a head. Again, when the days of vengeance came, the Italian and the Roman provincials were made the slaves to the Frank and the Goth. The ancient world seems always to have been writhing under the misery of being slaves to a minority, dominating by an armed tyranny.

The system originated in the capture of prisoners in war; a right of the slaughter of prisoners was assumed, sometimes acted on, but generally commuted to slavery. The earliest slave state was Dorian Sparta, which held the Achæians as helots (A. vi. 88). This was expressly to carry on the cultivation, and so leave the Spartans at leisure to be trained to tyrannise over Greece. Similarly the great corn-growing plains of Thessaly induced the people to enslave the Magnesians and Perrhæbians (A. vi. 88), and to persuade the Bœotians to hire themselves out in perpetuity as cultivators (A. vi. 85). The Chians started dealing in barbarian slaves (A. vi. 88); and in turn they were handed over to their slaves by Mithradates (A. vi. 91). The Leleges were slaves to the Carians (A. vi. 101), the Bithynians were slaves to the Byzantines (A. vi. 101), and the Getæ were so usually enslaved that Geta was a regular slave name. Justinian states three sources for slaves—those born so, captured, or collusively sold in order to get a

price for themselves in the break-up of society (J. 1. 3. 4).

*Treatment of Slaves.*

The treatment of slaves in Greece was more endurable when associated in the family, but in the mines it was terrible. In Rome there were three stages: the earlier slavery was mainly in families, Cæsar had only three slaves (A. vi. 105); to this succeeded the furious exploiting of the slave trade for forced labour in field work and factories, in the race for wealth; the horrors were so great that the State interfered under the Antonines, and laws steadily restrained the worst evils, until mitigated by Christianity (L. i. 300-6). The employment of slaves in factories and building led to foreign designs being introduced, as Celtic ornament on the lamps, and North Asian ornament in mosaics. The slaves were employed as the bulk of the officials in the customs, and as architects, teachers, sailors, soldiers, and miners (MM. ii. 357). Ten or twenty thousand are vaguely reported as belonging to a single holder (A. vi. 104), and, more precisely, one Isidorus had 4116 slaves (P. xxxiii. 47). In the satire of Trimalchio's banquet the registrar announces that 70 children had been born in one day on the master's estates. The plantation system, where great estates were run by slave labour merely as investments, was the worst part of Roman slavery. Mommsen attributes it to the

East, and thence by way of Carthage and Sicily to Italy (MM. iii. 75) ; but it is very doubtful if the Oriental labourer was ever so degraded.

Under the better masters the lot of house slaves was fair. They were valued and trusted, and many were emancipated. The main cause of such benefits was that they were often superior in birth and in education to their masters (L. i. 235). Such slaves fetched a high price, as Daphnas the grammarian, who cost £3000, or actors who were even more valuable (P. vii. 40). The Stoics gave their slaves payment for work, so as to earn their freedom (A. vi. 108).

In the north thralldom was domestic and not commercial. A good master knew how to encourage thralls to earn well, and buy their freedom in two or three years, and would then retain them as a paid bodyguard of freedmen (R. ii. 25). Prices were very low, two lads for a fine goat, or one for a cloak (R. i. 229) ; and the thrall stood a chance of being sacrificed as a blood offering (R. i. 319).

### *Legal Position of Slaves.*

The legal position of slaves is not fixed by Hammurabi ; but from the ready recognition of the marriage of a master and slave girl, and of a slave marrying a free woman, it is probable that the domestic slavery was as easy as it has generally been in the East. Slave stealing was punished



with death, and there was £4 reward for capturing a runaway slave. Injuries to slaves were rated at  $\frac{1}{2}$  or  $\frac{2}{3}$  of those to freedmen. In India a slave could hold no property (N. v. 39). There were fifteen different sources of slavery, of those born as slaves, bought, due to debt, prisoners, and owing to various voluntary agreements (N. v. 24–27). The Roman slavery was perhaps the worst. A slave had no rights (J. 1. 16. 4), and no property, though custom allowed him a *peculium*. All rights that he might acquire, even by bequest, fell entirely to his master. If the master were murdered, all his slaves were put to death, after examination, which was always legally with torture. Any man who became a slave lost his rights of inheritance as a cognate, and freedom later would not restore him (J. 1. 16. 4). Yet though slavery of a father extinguished his *patria potestas*, his freedom later at once revived that slavery of the family.

By a curious exception, slaves had a right to an annual festival of liberty, both in Crete (A. vi. 84) and the Saturnalia in Rome. As Saturn was a primitive Italic god, it seems as if the population enslaved by invaders was allowed the national festival as a religious holy day, and hence all slaves obtained the privilege. There was enormous complication in Roman law, by the position of a slave as agent, incurring debts, owning a *peculium*, jointly owned by masters, and having vicarial sub-slaves (J. 4. 7. 4). The very mixed positions

and rights which ensued rejoiced the legal heart.

In Ireland slavery was so constant that the slave girl was the recognised unit of value, equal to three cows. Fines were assessed thus, as when the spilling of a bishop's blood was reckoned at seven slave girls (S. 102).

The position of the slave wife has always been difficult. The ancient rights of war gave a soldier every right over his female captives, and when sold to a master their position was no better. As there was not the difference in colour which proved so fatal in negro slavery, and the family of the ancient slave was much on a level with that of the master, there was little bar to recognition. Hence we find that Hammurabi allowed the sons of a slave to be acknowledged by the master, and, if so, to be ranked as family heirs (H. clxx.). Further a wife might give a maid to the husband ; she was not allowed to assume equality if she bore children, but she could not be sold, as she might if she had no children (H. cxlvi.). Similarly the female Votary if she married gave her husband a slave as deputy wife. The Indian code has no mention of the marriage of slaves, but it states that a Brahmani woman may forget herself so far as to marry a Sudra, their child however would be " the basest of mortals " (N. xii. 111). In Rome the position was far harder ; the slave had no rights, and no form of marriage, and her children

were irrevocably slaves. If a mistress married her slave, she could not afterwards make him her heir, or manumit him (J. 2. 14).

In Wales the bondage was light ; the bondman might marry the free woman, and his sons would so get one of the 9 degrees off their bondage. It was fully agreed that nine such marriages freed the family and gave them full right (W. 67). The sons of slaves could individually be freed by practising any art (W. 70), but that must be continued in each generation to keep the family free.

### *Manumission of Slaves.*

Manumission was very frequent in Rome, for various social reasons of ostentation or of safety (L. i. 236). It was also considered that an active and capable slave could win his freedom in six years (L. i. 304). But legal cruelty pursued him, for if manumitted by will, he yet had to give up his *peculium* to his master's estate (J. 2, 20, 20). In India a very slight domestic ceremony served for manumission (N. v. 40-2). The great class of freedmen in Rome have been immortalised in Trimalchio ; yet many were of high character and importance. They rose to the highest functions of state, just as an ex-slave has often been an Oriental vizier. In the North there was little or no prejudice against a slave ; as in the story of Yrsa, a herd girl of Saxland, who became queen of Sweden (K. i. 49).

*Evils of Slavery.*

The evils of the slave system have been proportioned to the heartlessness with which it was carried out. It is very seldom that man can be trusted with arbitrary power without deterioration, and the power over lives that could be acquired by any one for money, is perhaps the most destructive to character. The recruiting of slaves led to the ruin of Asia Minor and Syria, which were the usual haunts of slavers; the population was exhausted by being thus drawn upon by Rome, the cultivation fell off, and the land decayed (MM. iii. 73, 384). In Delos, the great slave mart, as many as 10,000 have been sold in a day (MM. iii. 74). The continuance of slave hunting was the basis for the piracy which disgraced the Mediterranean (MM. iii. 63); a pirate was not too particular whether he caught slaves ashore or afloat, and whether his plunder was in men or in goods. The result of herding together thousands of slaves on the estates, for exploiting production, was the series of servile wars which oppressed Rome. The Sicilian revolt under the false Antiochus was of 70,000 slaves (MM. iii. 77); in the later war Spartacus wielded 40,000 (MM. iv. 75). Even when there was no open warfare, the slaves rendered the country unsafe, and robbery was organised (MM. iv. 73).

In the city life slavery was more degrading.

The slave could not form a legal marriage, so there was a great majority of the population living lawless lives, and always at the disposal of their masters. No more certain means of degradation could be imagined. The effect of the slave workman in driving out free labour, and preventing any higher standard of living, was also a cause of economic ruin (L. i. 262). So the immense scale of slavery in Italy was the ruin of the people, both soul and body.

The mental effect of the slave system in Greece, was deplored by Plato; the helots caused the greatest perplexity and dispute. "There is nothing sound in the feelings of slaves, nor ought a prudent man to trust them in anything of importance"; "a slave is an objectionable and perilous possession" (A. vi. 87). In Rome it was even worse, according to the proverb, "So many slaves so many foes" (MM. ii. 7); and Mommsen's remark is that "Slavery is impossible without a reign of terror" (MM. iii. 78), which we have seen to be as true in Belgium and Poland as it ever was anciently.

We have now reviewed some of the Sources of Human History which do not usually attract so much attention as the more beaten track. Whether it be in man before writing, or the written sources which are less noticed, or the picture of society in custom and law, there awaits us a fund of material to widen the mind, and to make the affairs of man one of the greatest interests of our life.

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